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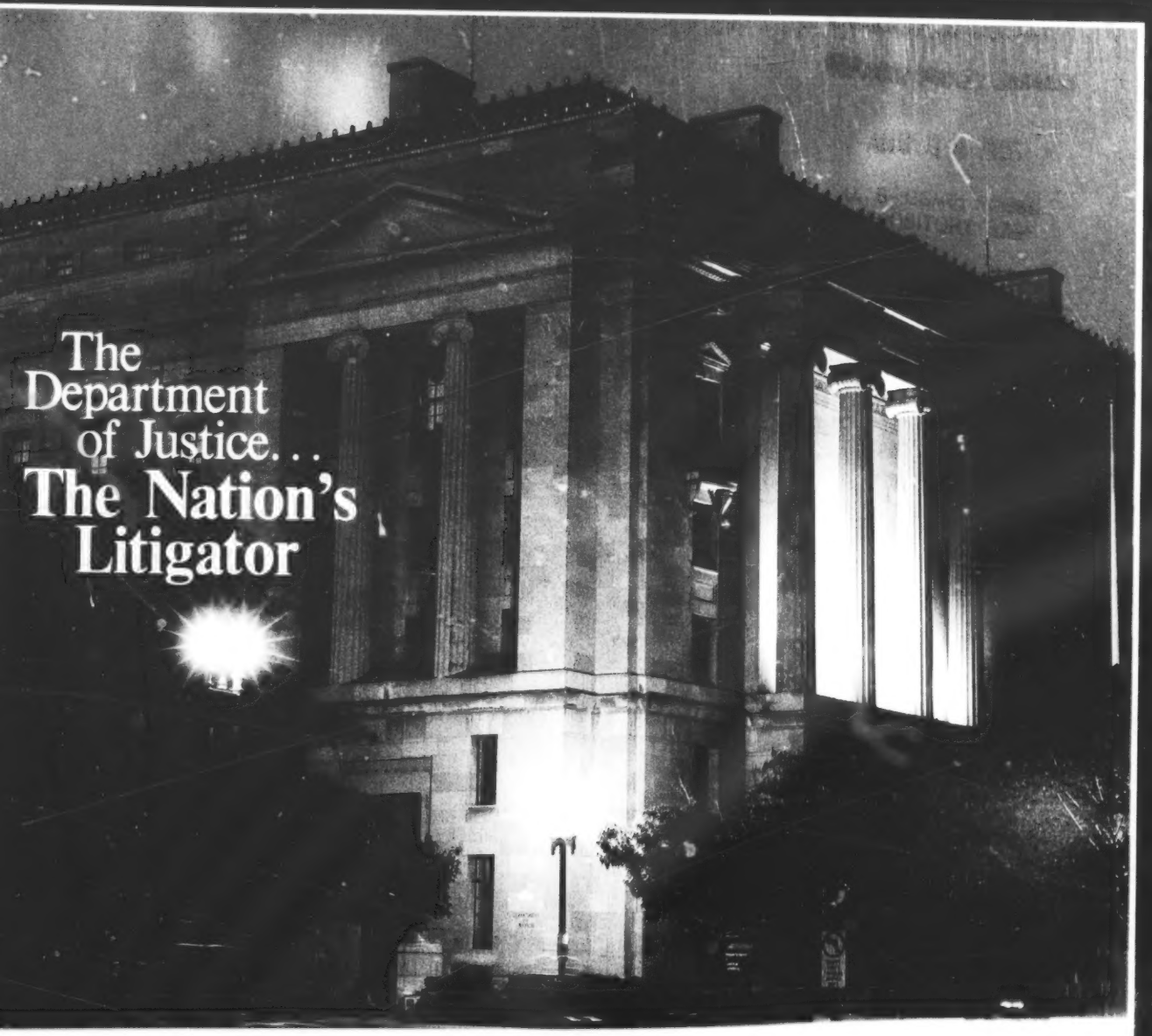
Legal Activities 1985-1986



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United States Department of Justice

Legal Activities 1985-1986

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The Department of Justice... The Nation's Litigator

Published by:

Office of Attorney Personnel Management
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

"The ability of this or any administration to succeed depends in no small degree upon the energy, the dedication, and the spirit of our Nation's civil servants. . . . America is passing into a new era, reversing a long trend of government expansion. Government must limit what it does, yet still perform its rightful task with utmost skill and professionalism. Meeting this difficult challenge will require . . . determination and imagination."

. . . . . By President Ronald Reagan

READEX

FOREWORD

Our purpose in publishing the brochure Legal Activities 1985-1986 is to provide a brief overview of the Department of Justice and its organizations, with emphasis on the work of the attorneys employed by each of the organizations identified.

The Department has justly earned its reputation for doing first-rate legal work, and I am proud of our excellent attorneys. The Department of Justice is more than the finest law firm in the world, more than the finest law enforcement agency, more than the finest department in the government. It is also a collection of dedicated professionals who aspire on an individual basis to excellence in the performance of their duties.

The breadth of experience and responsibility given Department attorneys is unequaled. I am also convinced that we must continue to recruit and hire the finest attorneys we can, because there is no organization whose legal work is of more importance to the country. I strongly encourage all attorneys interested in public service to consider carefully the opportunities and rewards of service in the Department.

I would like to point out that, while the Department has a long and distinguished history, it has changed greatly since its establishment. Most notably, it has grown tremendously in size and responsibilities. From this has stemmed a great deal of diversity within the Department, in its organizations and in the occupations, employment skills, and work locations of its employees. But more than ever before, Justice is one department, with its many components complementing one another and working together.

With the hope that perhaps you will someday join the Department, I offer you my welcome. Our attorneys will continue to bring honor and distinction to the Department, and they will continue to ensure that the Department truly is a place where justice is served. I hope you will be among them.

Edwin Meese III

Edwin Meese III
Attorney General

CONTENTS

	PAGE
Quote: President Ronald Reagan	iii
Foreword—Remarks by the Attorney General	v
Attorney Employment	1
—Application Addresses	1
—General Information	1
—Fringe Benefits	1
—Promotion Policy/Performance Appraisal	2
—Experienced Attorney Employment	2
—Eligibility	2
—Application Procedure	2
—Salary	2
—1985—1986 Honor Program (including graduating law students, graduate law students and Judicial Law Clerks)—For Employment in 1986	3
—History	3
—Eligibility	4
—Application Forms	4
—Salary	4
—Summer Law Intern Program—For Employment in the Summer of 1986	5
—Other Law Student Programs	5
—Part-Time Program	5
—Work-Study Intern Program	5
—Volunteer Program	5
Office of Legal Education	6
—Advocacy Institute	6
—Criminal Trial Advocacy Course	7
—Civil Trial Advocacy Course	8
—Appellate Advocacy Course	8
—Legal Education Institute	8
Introduction to the Work of the Department	9
—The Attorney's Function in the Department of Justice	10
—Department of Justice Attorney Distribution	10
Office of the Attorney General	11
Office of the Deputy Attorney General	11
Office of the Associate Attorney General	11
Office of the Solicitor General	12
Office of Intelligence Policy and Review	12
Office of Legal Counsel	13
Office of Legal Policy	13
Office of Legislative and Intergovernmental Affairs	14

PAGE

Office of the Pardon Attorney 14
Office of Professional Responsibility 14
Office of Public Affairs 15
Justice Management Division 15
Antitrust Division 16
Civil Division 18
Civil Rights Division 21
Criminal Division 25
Land and Natural Resources Division 29
Tax Division 32
Executive Office for United States Attorneys 35
United States Attorneys' Offices 35
United States Marshals Service 37
United States Trustees' Offices 37
Immigration and Naturalization Service 38
Executive Office for Immigration Review 40
Federal Bureau of Investigation 41
Bureau of Prisons—Federal Prison Industries 42
Drug Enforcement Administration 42
Office of Justice Programs 43
Bureau of Justice Assistance 43
Bureau of Justice Statistics 44
National Institute of Justice 44
Office of Juvenile Justice and Delinquency Prevention 44
Community Relations Service 45
INTERPOL—U.S. National Central Bureau 45
United States Parole Commission 46
Foreign Claims Settlement Commission 46
Directory of Field Office Locations Employing Attorneys 47
Addresses of United States Attorneys' Offices 53

ATTORNEY EMPLOYMENT

This brochure has been prepared to assist you in your consideration of the varied legal employment opportunities offered by the Department of Justice. It contains general information about attorney and law student employment as well as detailed information about each of the organizations within the Department. The Advocacy/Legal Education Institute, which is the Department's excellent training facility for attorneys, is also highlighted.

APPLICATION ADDRESSES

Applications by attorneys and law students for employment in all organizations within the Department, except the Federal Bureau of Investigation and the U.S. Attorneys' Offices, should be mailed to:

U.S. Department of Justice
Office of Attorney Personnel Management
Room 4311, Main Building
Pennsylvania Avenue at 10th Street, N.W.
Washington, D.C. 20530

The Federal Bureau of Investigation (FBI) handles its recruitment independently. Applications for employment in the FBI should be forwarded to:

Federal Bureau of Investigation
Room 6050, J. Edgar Hoover Building
Pennsylvania Avenue at 9th Street, N.W.
Washington, D.C. 20535

Applications for employment in the U.S. Attorneys' Offices should be mailed directly to the U.S. Attorney's Office that you wish to have consider your application. Please refer to the discussion of their offices in this brochure for specific application information. The mailing addresses for those offices are at the end of this brochure.

Additionally, please direct any inquiries you may have regarding attorney employment with the Department of Justice to the Office of Attorney Personnel Management, telephone 202-633-3396.

GENERAL INFORMATION

Federal positions fall into two categories—the excepted and competitive services. The major difference is that the competitive service, which governs many non-legal positions, requires an open-competition examination for appointment. In contrast, the excepted service, which governs attorney and law student appointments, does not require an examination. Rather, the appointments are made on the basis of the applicant's education and employment background.

Most major litigating divisions of the Department require a three year commitment (with the exception of the Tax Division, which requires a four year commitment), indicating a bona fide intent to remain with the Department for that length of time. The Department's interests require this commitment because of the lengthy and extensive training given to new legal employees. The commitment benefits the attorney as well, because it takes that length of time for him/her to become proficient in litigation.

Approximately one-half of the Department's legal positions are located outside of Washington, D.C. (most are in the various U.S. Attorneys' Offices). If a particular Department organization has offices outside the Washington, D.C. area employing attorneys, that fact is noted, and their locations are given in both this brochure's description of that organization, and in a separate section in the back of the brochure.

FRINGE BENEFITS

The benefits of the federal government's retirement plan are based on length of service. New employees have 1.3% of their basic pay deducted for the Civil Service Retirement System, and 6.7% of their basic pay deducted for Social Security coverage. The Department of Justice contributes 7% of the basic pay toward retirement as well. The present retirement system has been in effect since January 1, 1984, and is considered interim. Congress is expected to enact a revised retirement system by January 1, 1986.

Group life insurance is available in multiples of the basic salary, depending upon the option selected. Additional coverage may also be obtained for family members. Group health insurance is also available from a variety of plans, and the government pays a portion of the cost.

Annual leave is accrued based upon the length of government service, including military service. Annual leave is accrued as follows: first three years of government service, 13 days per year; three to fifteen years, 20 days per year; and, after fifteen years, 26 days per year. In addition, reservists may have up to 15 days military leave with pay, when ordered to active duty. Sick leave is accrued at the rate of 13 days per year.

Approved absence for maternity reasons can be a combination of sick and annual leave and leave without pay. Annual leave or leave without pay may

also be approved for male employees who desire to assist in the delivery and/or post partum care of a child. Consideration of a request for maternity absence will take into account the workload requirements of the attorney's office, but generally will be approved for a total of three to six months, depending upon the organization involved. Leave without pay is normally not credited toward time-in-grade for promotion requirements.

The Department has an Incentive Awards Program through which superior performance, special acts or services or suggestions deserving recognition are rewarded by cash or honorary awards.

PROMOTION POLICY/PERFORMANCE APPRAISAL

An attorney employed by the Department as an experienced attorney, an Honor Program recruit or a Judicial Law Clerk may be eligible for consideration for promotion after serving the following minimum time-in-grade at the next lower level.

For Promotion To	Minimum Time in Next Lower Grade
GS-11	-----
GS-12	1 year
GS-13	1-1/2 years
GS-14	2 years
GS-15	2 years

Actual promotions after serving the minimum time-in-grade are recommended based upon the attorney's performance. Attorneys receive an annual performance appraisal. Outstanding performance by an attorney may result in a recommendation for a waiver of the minimum time-in-grade of up to six months for a GS-13 and one year for GS-14 and GS-15. (Such a waiver allows promotion to a GS-13, GS-14 and GS-15 after one year in the next lowest grade instead of the longer periods listed above.)

EXPERIENCED ATTORNEY EMPLOYMENT

Eligibility

To apply for an attorney position with the Department, an applicant must be an active member of the Bar and have at least one year of experience after graduation from an ABA approved law school. Individuals who have graduated with an LL.M. degree may apply as an experienced attorney. Judicial Law Clerks may apply to the Department as an experienced attorney, or under the Honor Program, which is described later in this brochure. Employment applications from experienced attorneys are accepted at any time. Attorneys are offered a position subject to completion of a favorable name and fingerprint clearance and full field investigation by the Federal Bureau of Investigation.

Application Procedure

A current resume should be submitted to the Office of Attorney Personnel Management, at the address on page one of this brochure. An applicant is free to request consideration by specific divisions or offices within the Department for which he/she has appropriate experience. If no such request is noted, the Office of Attorney Personnel Management will refer the resume to the divisions or offices deemed appropriate. Writing samples should not be sent unless specifically requested. The divisions or offices to which a resume has been referred will contact the applicant directly if they have appropriate vacancies they would like to discuss.

The Office of Attorney Personnel Management does not maintain a vacancy list of legal positions. In view of the Department's large legal staff and the fact that legal recruiting is an ongoing process here, the Office of Attorney Personnel Management welcomes, and refers, resumes under the experienced attorney recruitment program at all times.

Salary

The salary for an incoming attorney normally may not exceed what the attorney would have been earning had he/she entered the Department directly from law school, and then been promoted according to the Department's normal eligibility policy. The salary scale (as of January 1985) is listed below:

Years of Experience	Grade Level
-----	GS-11 ($26,381-34,292)
1 - 2-1/2	GS-12 ($31,619-41,105)
2-1/2 - 4-1/2	GS-13 ($37,599-48,876)
4-1/2 - 6-1/2	GS-14 ($44,430-57,759)
6-1/2 - and above	GS-15 ($52,262-67,940)

There are ten steps to each grade level. The range of salaries provided above lists the first and tenth steps of each grade level. Salaries in excess of the applicant's salary at his/her current position must be fully justified.

On December 5, 1983, the Department celebrated the thirtieth anniversary of the Attorney General's Honor Program. Pictured (l. to r.): Former Attorney General William French Smith; Chief Justice of the United States Warren E. Burger; former Attorneys General Herbert Brownell and William P. Rogers; and Linda A. Cinciotta, Director, Office of Attorney Personnel Management, Office of the Deputy Attorney General.

1985 - 1986 HONOR PROGRAM (INCLUDING GRADUATING LAW STUDENTS, GRADUATE LAW STUDENTS AND JUDICIAL LAW CLERKS) - FOR EMPLOYMENT IN 1986

History

On December 5, 1983, the Department celebrated the thirtieth anniversary of the Attorney General's Honor Program for recruiting graduating law students. It was an impressive ceremony that denoted the Department's pride in the Honor Program and its many outstanding recruits from 1954 to the present. Present to commemorate the event were the Chief Justice of the United States Warren E. Burger, and former Attorneys General William French Smith, Herbert Brownell and William P. Rogers. The Chief Justice was the Assistant Attorney General for the Civil Division at the time the Honor Program was initiated. William French Smith was the Attorney General at the time of the Honor Program's thirtieth anniversary celebration, Herbert Brownell was the Attorney General who inaugurated the program in 1953, and William P. Rogers was the Deputy Attorney General who administered the first program.

In addition to a large number of former Honor recruits who form a core of the Department's present leadership, distinguished Honor recruit alumni include three members of the federal legislature - Senators Gary Hart and George Mitchell, and Representative John E. Porter. The late Patricia Roberts Harris, who served as Secretary of the Department of Housing and Urban Development, and Secretary of the Department of Health, Education and Welfare also began her career as an attorney with the Department of Justice. Robert Pitofsky, Dean of Georgetown University Law Center, and Derrick A. Bell, Jr., Dean of the University of Oregon's School of Law are representative of distinguished legal educators who were former Honor recruits. Additionally, many attorneys who began their careers as Honor recruits at the Department have

distinguished themselves in the judiciary, government, private practice and industry.

Eligibility

The Attorney General's Honor Program serves as the Department's recruitment program (for all Department organizations except the U.S. Attorneys' Offices and the Federal Bureau of Investigation) for outstanding third-year law students, graduate law students (applying in the fall of the last year of their graduate law study) and Judicial Law Clerks, and is highly competitive. Students are selected based on: academic achievement; law review and other publication work; extra-curricular activities such as moot court competition, legal aid, legal clinic, and student bar association; and summer and part-time employment. Law students who will graduate in the fall of 1985 or in the spring or summer of 1986 from ABA approved law schools are eligible. The Honor Program is the only vehicle through which the Department hires graduating law students.

Judicial Law Clerks are also recruited under the Honor Program. Persons who will conclude their clerkships during 1986 may apply. Graduate law students are also eligible to apply under the Honor Program in the fall of the last year of their graduate law study.

Interviewing for the Honor Program is done at 26 regional locations, in addition to Washington, D.C. Interview cities and dates are indicated on the Honor Program application forms.

Please note that the application, interview and offer process for these programs is very structured and conducted only within a specific time frame. Honor Program applications which are not submitted by the deadline will not be considered. (Judicial Law Clerks are encouraged to apply as part of the Honor Program, and if they do so they are bound by the same deadline. However, Judicial Law Clerks may also apply to the Department outside the Honor Program as an experienced attorney at any time.)

Honor Program offers to graduating law students, graduate law students and Judicial Law Clerks are made subject to completion of a favorable name and fingerprint clearance and full field investigation by the Federal Bureau of Investigation. Please note that many organizations within the Department defer entry on duty until after October 1 (which is the beginning of the new fiscal year) following graduation. All J.D. graduates must pass a bar examination within 14 months of entry on duty and maintain active bar membership. Appointments made through the Honor Program are for permanent attorney positions.

At a reception in honor of incoming Honor Program attorneys, former Deputy Attorney General Carol Dinkins speaks with Deputy General Counsel Paul Schmidt, Immigration and Naturalization Service (left) and Honor recruit Arthur Gottlieb.

Application Forms

Third-year law students, graduate law students (in the fall of their last year of graduate study), and Judicial Law Clerks (JLCs) must submit the Honor Program application. ***Judicial Law Clerks must complete a separate section on the Honor Program application form.*** Applications (and instructions) are available at these designated locations as of the end of August 1985:

- The applications for third-year students, graduate law students, and JLCs are available at the placement offices of all ABA approved law schools.
- The applications for federal JLCs are also available in the chambers of all federal judges.
- The applications for state JLCs are also available in the central administrative office for each state court.

Honor Program Applications from Third-Year Law Students, Graduate Law Students and Judicial Law Clerks must be received at the Department of Justice by September 27, 1985. Late applications will not be considered. All application materials should be sent to the Office of Attorney Personnel Management at the address on page one of this brochure.

Salary

The beginning salary for an Honor Program attorney is GS-11 ($26,381 per annum as of January 1985). The beginning salary for a Judicial Law Clerk or Honor Program attorney, with a graduate law degree, is GS-12 ($31,619 per annum as of January 1985).

SUMMER LAW INTERN PROGRAM—FOR EMPLOYMENT IN THE SUMMER OF 1986

Each year the Department hires as Summer Law Interns a number of students who have completed their second year at an ABA approved law school. These appointments are assigned a GS-7 level ($17,824 per annum as of January 1985). Some limited hiring of first-year law students is done, with those appointments assigned a GS-5 level ($14,390 per annum as of January 1985). Summer Law Intern positions may also be offered to a law school graduate the summer between his/her graduation and commencement of a judicial clerkship. These summer appointments for graduates are assigned a GS-11 level ($26,381 per annum as of January 1985). The Summer Law Intern Program is highly competitive.

Applications (and instructions) for employment during the summer of 1986 are available at the placement offices of all ABA approved law schools as of the end of August 1985. **Applications for the Summer Law Intern Program must be received at the Department of Justice by October 4, 1985.** Late applications will not be considered.

Please refer to the discussion of U.S. Attorneys' Offices in this brochure for information on applying for a summer position in those offices. For all other organizations in the Department (including the Executive Office for U.S. Attorneys, which is located in Washington, D.C.) application materials should be sent to the Office of Attorney Personnel Management at the address on page one of this brochure.

At the end of the employment period as a Summer Law Intern, the student receives a performance appraisal. An intern who receives one of the highest level appraisals may be offered a permanent position, in the late summer or early fall, under the Attorney General's Honor Program for graduating law students, to be effective upon his/her graduation. Of course, all Honor Program offers are subject to budgetary limitations and successful completion of a background investigation.

OTHER LAW STUDENT PROGRAMS

Part-Time Program

There are some paid, part-time positions available in the Department during the "regular" school year, i.e., September through May. (Paid positions for the summer months are filled through the Summer Law Intern Program - see above.) The employment of students who are attending law school on a full-time basis may not exceed 20 hours per week. The salary for a student who has completed the second year of an ABA approved law school is at the GS-7 level ($17,824 per annum as of January 1985). The salary level for a student with less academic completion is at the GS-5 level ($14,390 per annum as of January 1985).

Work-Study Intern Program

These positions are without compensation but are for course credit or part of a work-study program when permitted by the student's law school. Students should contact their law school for specific intern or work-study requirements prior to applying for such a position.

Volunteer Program

Students who want to gain a significant work experience with the Department may apply for a position as a volunteer. These positions are without compensation. The number of hours worked in a volunteer capacity is agreed upon by the student and the supervisor, but a student may not exceed 20 hours per week while attending law school full-time.

There are no deadlines for the Part-Time, Work-Study Intern and Volunteer Programs, and applications for them can be submitted at any time. For a Law Student Program application form or more information, students should contact their law school placement office or write to the Office of Attorney Personnel Management at the address on page one of this brochure. In addition to sending an original and two copies of the application form, students must send three copies of their current transcript. Although not required, students are also encouraged to send three copies of their resume. Writing samples and Standard Form 171 should not be sent unless specifically requested.

Please refer to the discussion of U.S. Attorneys' Offices in this brochure for information on applying for a Part-Time, Work-Study Intern or Volunteer position in those offices. For all other organizations in the Department, application materials should be sent to the Office of Attorney Personnel Management at the address on page one of this brochure.

trial experience with visiting federal judges presiding over their performance in front of a jury.

This course is followed by an advanced week presentation, approximately six months later, in which the same student-attorneys attend lectures and workshops concentrating on such topics as grand jury, ethics, and persuasion.

Civil Trial Advocacy Course

This two and one-half week program begins with the discovery phase of a civil case. Students participate in discovery and testimony depositions, moving through the various stages of a civil trial, beginning with opening statements, and proceeding through direct and cross-examination to closing arguments. Each student's performance of exercises in these areas is videotaped and then immediately reviewed by the student with an instructor.

In the expert witness phase of the program, students work with experts from various agencies, such as the National Weather Service, the Nuclear Regulatory Commission, and the Corps of Engineers. Physicians and nurses also participate in the course to allow the participants the experience of direct and cross-examination of medical experts.

Throughout the program, experienced Assistant U.S. Attorneys and Department attorneys, serving as instructors, conduct the classroom exercises and the critiques via video playback. The last two days of the course are spent in mock trials held at the U.S. District Courthouse, in Washington, D.C., before federal district judges from throughout the country.

Appellate Advocacy Course

The Appellate Advocacy Course is a one week program, conducted four times a year, which focuses on the various skills required of a successful appellate advocate. The lectures, panels, and practical exercises are designed to improve the ability of the participating attorneys to analyze facts, to write appellate briefs, and to make oral arguments. Each attorney must submit a brief prior to the course and during the course, each attorney argues three times. During the week, the attorneys' performances are videotaped and then critiqued by experienced appellate counsel. The program culminates in full-scale oral arguments before panels which include judges of the U.S. Courts of Appeals.

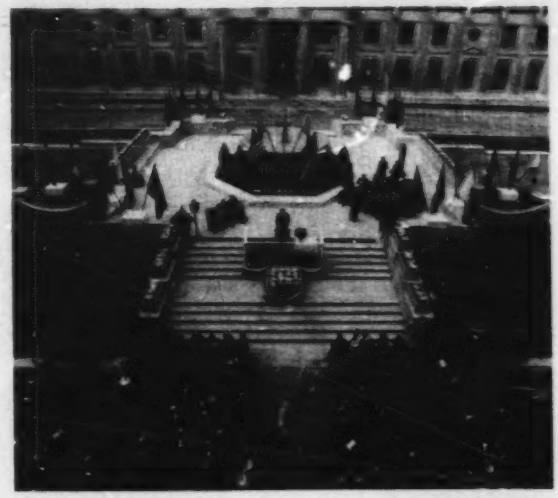
LEGAL EDUCATION INSTITUTE

The Legal Education Institute courses are offered on an interagency basis in three categories: (1) advocacy training, similar to that in the Advocacy Institute, but aimed at the administrative hearing; (2) training of wide application to a number of agencies, in areas such as freedom of information law and federal employment law; and, (3) training that can promote better working relationships among agencies, for example in those areas where the Department of Justice represents other departments and agencies.

INTRODUCTION TO THE WORK OF THE DEPARTMENT

The United States Department of Justice has been described as the largest law office in the world. The Attorney General is the federal government's chief legal officer. The United States Government is the Attorney General's client. The Department of Justice is the Attorney General's staff. But this staff, which is comprised of approximately 61,997 persons throughout the nation and its territories, performs many law enforcement functions in addition to providing legal services to the government. The Department of Justice consists of fifteen offices, seven divisions, six bureaus, and three boards.

The post of the Attorney General was created by the Judiciary Act of September 24, 1789, but it was an office, not a department, that was created. Edmund Randolph, of Virginia, was the first Attorney General. By 1870, the work of the Attorney General had expanded to such an extent that the office had become, in reality, one of the executive departments of the government. In recognition of this fact, the Congress on June 22, 1870, established the Department of Justice, headed by the Attorney General.



On October 25, 1984, the Department celebrated the fiftieth anniversary of the dedication of the Department of Justice Building, commemorating as well the proud history of the Department. Pictured (l. to r.) in the Department's main courtyard: Chief Justice of the United States Warren E. Burger; and former Attorneys General Herbert Brownell and William French Smith.

Former Attorney General William French Smith is pictured at his farewell address on February 22, 1985, at which he praised Department attorneys as "... tops in their field. We have become accustomed to the highest quality work on the shortest of notice. *** The men and women of the Department of Justice represent the finest force for good that can be found anywhere."

THE ATTORNEY'S FUNCTION IN THE DEPARTMENT OF JUSTICE

A primary responsibility of the Department of Justice is to represent the United States in court. Attorneys in the general counsel offices of other departments and agencies perform the day-to-day legal duties of the federal government, such as negotiation of contracts, settlement of complaints, and providing legal advice to other government officials. However, when a department or agency is involved in or is contemplating litigation, the matter is generally turned over to the Department of Justice.

With several important exceptions, the bulk of the Department's litigation function is performed by the 93 U.S. Attorneys and their staffs. Their work is guided and assisted by attorneys in several legal divisions of the Department. However, Department of Justice attorneys in the Antitrust, Civil, Civil Rights, Land and Natural Resources, and Tax Divisions conduct the majority of the litigation in their respective areas of responsibility.

A general description of the work of each organization within the Department follows. A listing of the number of attorneys in each organization of the Department also appears here.

Department of Justice
Attorney Distribution

Organization	Number of Attorneys
Office of the Attorney General	4
Office of the Deputy Attorney General	7
Office of the Associate Attorney General	13
Office of the Solicitor General	23
Office of Intelligence Policy and Review	11
Office of Legal Counsel	20
Office of Legal Policy	35
Office of Legislative and Intergovernmental Affairs	12
Office of the Pardon Attorney	4
Office of Professional Responsibility	6
Office of Public Affairs	0
Justice Management Division	30
Antitrust Division	290
Civil Division	463
Civil Rights Division	176
Criminal Division	363
Land and Natural Resources Division	216
Tax Division	302
Executive Office for United States Attorneys	20
United States Attorneys' Offices	2,350
United States Marshals Service	6
United States Trustees' Offices	31
Immigration and Naturalization Service	176
Executive Office for Immigration Review	97
Federal Bureau of Investigation	2[1]
Bureau of Prisons, Federal Prison Industries	20
Drug Enforcement Administration	19
Office of Justice Programs; Bureau of Justice Assistance; Bureau of Justice Statistics; National Institute of Justice; Office of Juvenile Justice and Delinquency Prevention	7
Community Relations Service	0
United States National Central Bureau - INTERPOL	1
United States Parole Commission	7
Foreign Claims Settlement Commission	4
TOTAL	4,715

[1]The FBI employs 1,206 attorneys who are classified as "Special Agents," of whom 53 are assigned to the Legal Counsel Division at FBI headquarters. The FBI only employs two persons as attorneys who are not also Special Agents, and both serve as Special Assistants to the Director.

Attorney General Edwin Meese III conducts an informational session at a meeting of the National Association of State Attorneys General.

OFFICES OF THE ATTORNEY GENERAL, DEPUTY ATTORNEY GENERAL AND ASSOCIATE ATTORNEY GENERAL

The Office of the Attorney General provides overall policy and program direction for the offices, boards, divisions and bureaus of the Department of Justice. The Office represents the United States in legal matters generally, and offers legal advice and opinions to the President, the Cabinet and heads of executive agencies. It also makes recommendations to the President concerning appointments to federal judicial positions as well as appointments of U.S. Attorneys and U.S. Marshals.

The Office of the Deputy Attorney General serves as the Attorney General's principal agent for managing the operations of the Department. The Office is the focal point for the direction and coordination of multifaceted Department programs. It provides supervision over all administrative management activities, including the Budget Review Committee, the Senior Executive Resources Board and the Office of Attorney Personnel Management.

The Office of the Associate Attorney General advises and assists the Attorney General and the Deputy Attorney General in formulating and implementing Departmental policies and programs. The Office also provides overall supervision and direction to certain organizations within the Department.

OFFICE OF THE SOLICITOR GENERAL

The major function of the Solicitor General's Office is to supervise and conduct government litigation in the United States Supreme Court. Virtually all such litigation is channeled through the Office of the Solicitor General and is actively conducted by that Office. This involves about two-thirds of all the cases the U.S. Supreme Court decides on the merits each year.

The Solicitor General determines the cases in which U.S. Supreme Court review will be sought by the government, and the position the government will take in that Court. His staff participates in preparing the petitions, briefs, and other papers filed by the government in its U.S. Supreme Court litigation. The Solicitor General personally assigns the oral argument of government cases in the U.S. Supreme Court. Those cases not argued by the Solicitor General personally are assigned to either an attorney on his staff or another government attorney. Most of the government cases in the U.S. Supreme Court are argued by the Solicitor General or his staff.

Another function of the Office is to review all cases lost by the Department of Justice in the lower courts to determine whether they should be appealed and, if so, what position should be taken. The Office does not, however, ordinarily participate directly in the preparation of the briefs or arguments in any court other than the U.S. Supreme Court.

OFFICE OF INTELLIGENCE POLICY AND REVIEW

The Office of Intelligence Policy and Review assists the Attorney General by providing legal advice and recommendations regarding national security matters, reviewing Executive orders, directives and procedures relating to the intelligence community, and approving certain intelligence-gathering activities. The Office also provides advice to Departmental units and other Executive branch agencies on the interpretation and application of the Constitution, statutes, regulations and directives relating to U.S. national security activities.

The Office represents the Attorney General on various interagency committees and task forces dealing with national security-related issues and policy. It participates in the development of legislative initiatives concerning such activities and communicates with the intelligence committees of the Congress in refining and analyzing legislation.

All representation of the United States before the Foreign Intelligence Surveillance Court is conducted by the Office of Intelligence Policy and Review. It prepares applications to the court for orders authorizing electronic surveillance by U.S. intelligence agencies and presents them for court review. When evidence obtained under the Foreign Intelligence Surveillance Act is proposed to be used in criminal proceedings, the Office obtains the necessary authorization from the Attorney General. In coordination with the Criminal Division and U.S. Attorney, the Office prepares the motions and briefs required in the U.S. District Court or Court of Appeals whenever surveillance authorized under the Act is challenged.

In addition to reviewing the applications for electronic surveillance, attorneys periodically review surveillance logs to ensure compliance with minimization procedures approved by the Attorney General. In addition, the Office monitors certain intelligence and counterintelligence investigations to ensure conformity with applicable laws and procedures. It regularly briefs the Congressional intelligence committees on these activities.

Because of rigorous security requirements, attorneys must be eligible for the highest security clearances. There is an attorney staff of 11, and an opening for even one attorney is rare.

OFFICE OF LEGAL COUNSEL

The principal function of the Office of Legal Counsel (OLC) is to assist the Attorney General in the role of legal adviser to the President and agencies in the Executive branch. The Office drafts the formal opinions of the Attorney General and renders its own formal and informal opinions on a variety of legal questions involving the operations of the Executive branch.

In responding to requests from the President and heads of the executive departments, OLC frequently considers legal issues of particular complexity and importance about which two or more agencies disagree. Except when a formal Attorney General's opinion is requested (in which case OLC drafts an opinion for the Attorney General's consideration), OLC normally serves as the final arbiter within the Executive branch on legal questions, both constitutional and statutory. It also reviews all Executive orders and proclamations proposed to be issued by the President for form and legality, as well as various other matters which require the President's formal approval.

In addition to serving as, in effect, outside counsel for the other agencies of the Executive branch, OLC also provides legal support and advice to the Department itself. It reviews all proposed orders of, and all regulations requiring the approval of, the Attorney General, and coordinates the work of the Department with respect to treaties, executive agreements, and international organizations. It performs a variety of special assignments referred by the Attorney General or the Deputy Attorney General.

OLC also advises other units, including the Office of Legislative and Intergovernmental Affairs, on the legal aspects of legislation proposed either as a part of the President's legislative program or by the Congress. OLC's staff frequently prepares and delivers testimony to the Congress on behalf of the administration on a variety of legal issues, particularly constitutional issues. In recent years testimony has been given on, for example, the Iranian Settlement Agreements, legislative vetoes, proposed limits on federal court jurisdiction, amendments to the Administrative Procedure Act, issues relative to Presidential assertion of executive privilege, and the power of the President to enter into executive agreements.

There is generally no court work connected with the activities of OLC although the Office is frequently consulted by litigating divisions of the Department, and may assist in writing briefs.

Because OLC carries a heavy and important workload with only 20 attorneys, it normally hires persons with exceptional academic records who have clerked for a federal judge or have other comparable legal experience.

OFFICE OF LEGAL POLICY

The Office of Legal Policy (OLP), which was established in early 1981, serves as the principal policy staff reporting to the Attorney General and the Deputy Attorney General. Under the direction of an Assistant Attorney General, OLP plans, develops, and coordinates the implementation of policy initiatives on issues that are of special concern to the Attorney General and the administration. OLP is the principal office assisting the Attorney General in his role as Chairman *pro tempore* of the Cabinet Council on Legal Policy. OLP also coordinates the policies of the Department with respect to other cabinet councils, and represents the Department on numerous interdepartmental committees and working groups. In this capacity, OLP participates in and provides policy guidance regarding a wide variety of issues coming before the Department.

OLP serves as the lead Department organization on several legislative initiatives—including Freedom of Information Act (FOIA) amendments and attorney's fee reform. The Assistant Attorney General is a principal adviser in the selection of candidates for the federal judiciary, and OLP is responsible for coordination of the necessary staff work. OLP administers the Federal Justice Research Program, which supports research on civil and criminal justice and provides the staff work for the Federal Legal Council, which promotes coordination and communication among federal government general counsel.

The Office of Information and Privacy, a separate office reporting to OLP, manages Departmental responsibilities related to the Freedom of Information Act and the Privacy Act. These responsibilities include developing and coordinating policy advice and initiatives in the implementation of the FOIA and the Privacy Act within the Department, and providing training and guidance government-wide to encourage compliance with the FOIA. The Office of Information and Privacy also decides all appeals from denials by any Departmental unit of access to information under those Acts.

OFFICE OF LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS

The Office of Legislative and Intergovernmental Affairs has the responsibility for conducting or coordinating various contacts with the Congress and state and local officials and their representative organizations. The Office exercises supervision over the Department's legislative program and responds to requests and inquiries from Congressional committees, individual members and their staffs.

The other functions of the Office include:

- Reviewing and submitting Department legislative reports, and coordinating the preparation of proposed Departmental legislation.
- Making appearances before Congressional committees on justice related matters and advising the President on the legal sufficiency of much of the legislation enacted by the Congress and presented to him for approval.
- The Office also alerts officials of state and local governments and related interest groups to significant Departmental policy decisions, encourages dialogue with interested officials, and solicits consultation on program issues, and policies which fall within the responsibility of the Department.

The Office has a staff of 12 attorneys who work primarily in a liaison capacity among the Congress, the Department and the Office of Management and Budget. Each attorney must become familiar with the law and pending legislation in several major areas of interest to the Department.

OFFICE OF THE PARDON ATTORNEY

The Pardon Attorney receives and reviews all petitions for Executive clemency, initiates the necessary investigations and prepares the recommendation to the President in connection with the consideration of all forms of Executive clemency, including pardon, commutation of sentence, remission of fine and reprieve.

The Office of the Pardon Attorney currently has four permanent attorney positions: the Pardon Attorney, Deputy Pardon Attorney and two staff attorneys. The Pardon Attorney is occupied principally with formulating the proposed Department recommendations in all clemency-related matters. In addition, the Pardon Attorney consults with numerous public groups, members of the Congress and others, meets pardon applicants or their representatives, participates in sentencing related conferences and other seminars, and maintains contact with the Attorney General, Deputy Attorney General, Associate Attorney General, Counsel to the President, and other government officials.

The Office of the Pardon Attorney processes a very large caseload with a relatively small staff of attorneys. Accordingly, recruitment for the occasional vacancy which occurs focuses principally on the applicant's character and academic credentials, as well as capacity for accomplishing complex, arduous and sensitive tasks.

OFFICE OF PROFESSIONAL RESPONSIBILITY

The Office of Professional Responsibility oversees investigation of allegations of misconduct by Departmental employees that may violate the law, Department orders or regulations, or applicable standards of conduct.

The Counsel on Professional Responsibility, who heads the Office, recommends to the Attorney General and Deputy Attorney General what action should be taken. This may include an investigation, under supervision of the Office, when the Attorney General or

Deputy Attorney General considers it appropriate. In an issue involving both the Attorney General and the Deputy Attorney General, the Counsel reports to the Solicitor General.

Cases in which there appears to be a violation of the law are referred to the agency authorized to investigate and prosecute such violations. Other matters are referred to the agency to which the employee is assigned for appropriate disciplinary action.

The Counsel submits to the Attorney General an annual report reviewing and evaluating the Department's various internal inspection units. The Counsel makes recommendations to the Attorney General on the need for changes in policies or procedures that become evident during the course of the internal inquiries reviewed or initiated by the Office.

OFFICE OF PUBLIC AFFAIRS

The Office of Public Affairs is the principal point of contact for the Department of Justice with the public and the press. Its responsibilities are to inform the public about the Department's activities and developments, and to provide similar information internally to Department personnel. There are no attorney positions in the Office of Public Affairs.

The Office is headed by a director who is also a special assistant to the Attorney General. The Director advises the Attorney General and other Department officials on all aspects of news and communications issues. The Director also coordinates the public affairs offices of all Department organizations.

The Office of Public Affairs disseminates information about the Department of Justice through the news media and by personal contact with the public. It writes all news releases for headquarters and edits those for the component agencies. It serves reporters by responding to queries, issuing press releases and statements, arranging interviews, and conducting press conferences and mailings.

The Office makes certain that the Department provides to the news media information that is current, complete and accurate. At the same time, it must also ensure that all laws, regulations and policies are followed so that material is not made public that might jeopardize investigations and prosecutions, violate rights of defendants or potential defendants, or compromise national security interests.

The Office provides assistance to members of the general public by receiving visiting groups, scheduling speakers upon request and responding to telephone and mail requests. It screens requests for personal appearances by the Attorney General and participates in the editing and review of all Attorney General speeches and testimony, as well as those of other top officials.

The Office of Public Affairs performs all staff work for the Congressionally-mandated Young American Medals program, which recognizes bravery and service achievements of young people, including screening of nominations, travel arrangements for recipients and families, and assistance to the President in presentation of the awards.

JUSTICE MANAGEMENT DIVISION

The Justice Management Division exercises Department level oversight and control over selected management operations, and provides direct administrative services to the offices, boards and divisions and, to a limited extent, the bureaus of the Department.

Two Justice Management Division offices that employ a significant number of attorneys are described below.

OFFICE OF THE GENERAL COUNSEL

The Office of the General Counsel has the responsibility for providing legal advice to the Assistant Attorney General for Administration and the rest of the Division. It also provides legal support to the offices, boards, divisions and bureaus of the Department in administrative law areas. The Office has the operational responsibility for the Department's ethics in government functions, its regulatory reform functions, and its Newspaper Preservation Act functions. It also reviews procurement actions for the Division and consults on procurement matters affecting the entire Department. The Office has a staff of eight attorneys.

LITIGATION SYSTEMS STAFF

The Litigation Systems Staff provides training, research, and user assistance in the operation of the Justice Retrieval and Inquiry System (JURIS). JURIS is a computer-assisted legal research system developed and operated by the Department of Justice for use by the federal legal community. The most important capability of the system is its power and flexibility in retrieving federal case law, statutes, regulations, and administrative decisions. The Staff also provides computer-assisted litigation support as another application of JURIS. It involves several additional system components to prepare special files designed for particular cases with access limited to the trial attorney and/or litigation team.

ANTITRUST DIVISION

"Competition" is the fundamental economic policy of the United States and the responsibility of the Antitrust Division is to promote and maintain competitive markets. There are two principal methods by which the Division accomplishes this goal. First, as a law enforcement agency, the Antitrust Division brings criminal and civil antitrust cases, primarily under the Sherman and Clayton Acts. Second, the Division appears as a competition advocate before Congressional committees and federal regulatory agencies.

The Antitrust Division conducts formal civil investigations and grand jury proceedings, prepares antitrust cases for filing, conducts trials, negotiates consent decrees, and enforces final judgments through civil and criminal contempt prosecutions. The Division's competition advocacy program involves formal appearances in federal administrative agency proceedings, development of legislation to promote deregulation and eliminate unjustifiable exemptions from the antitrust laws, participation on Executive branch policy task forces, and publication of statutorily required reports on regulated industries. The Division also provides advice to other agencies on the competitive implications of proposed transactions requiring federal approval, such as mergers of financial institutions, issuance of federal coal and oil drilling leases, and disposition of surplus government property.

Twelve of the Division's sections and two-thirds of the Division's attorneys are located in Washington, D.C. Field offices are located in Atlanta, Chicago, Cleveland, Dallas, New York, Philadelphia and San Francisco. Attorney applicants may request assignment to Washington, D.C., or to a particular field office and, when possible, such requests will be honored.

COMPUTER SUPPORT SERVICES

The Information Systems Support Group (ISSG) provides sophisticated computer-based support services to Antitrust Division attorneys. ISSG provides technical expertise and centralized assistance in information management and retrieval and automated data processing support for litigation, economic analysis, research and internal management functions. In addition to its considerable experience and available resources in litigation support services, ISSG also provides sophisticated mini-computer based word processing systems for the preparation of legal documents and memoranda.

GENERAL LITIGATION, SPECIAL LITIGATION, SPECIAL TRIAL AND TRIAL SECTIONS

Four of the litigating sections located in Washington, D.C. - General Litigation, Special Litigation, Special Trial and Trial - are responsible for investigating alleged antitrust violations in specific industries, and the responsibilities of the Sections are divided according to industries and commodities. The Sections proceed by grand jury investigation or by the issuance of civil investigative demands under the Antitrust Civil Process Act. They are sometimes aided in the conduct of investigations by the Federal Bureau of Investigation. Their inquiries may result in the filing of criminal complaints, civil injunctive suits, and civil damage and penalty cases.

FIELD OFFICES

Attorneys assigned to the seven Division's field offices are responsible for investigating and litigating antitrust violations in specific geographic areas rather than for particular commodities or industries. The field offices may also undertake particular investigations and cases that are nationwide in scope. These offices also serve as the Division's field liaison with local U.S. Attorneys, State Attorneys General and other law enforcement agencies.

INTELLECTUAL PROPERTY SECTION

This Section is responsible for investigating and prosecuting all violations of the antitrust laws that

The Antitrust Division's continuing investigations of highway construction bid rigging conspiracies have expanded into other related areas including utility, water and sewer lines. Investigations into price fixing on the sale of hot mix asphalt, sand, gravel and stone have also been an outgrowth of the road building bid rigging cases.

involve questions of patent, trademark, copyright abuse, and proprietary information exchange. The Intellectual Property Section also has jurisdiction over various commodities including pharmaceuticals, pesticides, chemicals, and hospital and laboratory equipment.

ENERGY, TRANSPORTATION AND SPECIAL REGULATED INDUSTRIES SECTIONS

The Energy Section has responsibility for antitrust enforcement and the promotion of competition in areas of energy production and use, including domestic and international petroleum, natural gas, coal, nuclear power, solar and other forms of renewable energy, electric utilities and various areas of energy regulation.

The Transportation Section is responsible for the enforcement of the antitrust laws and competition advocacy related to motor, rail, water and air transportation. The Section is active in legislative activities relating to the deregulation of various transportation industries, and reports to the Congress and the Executive branch on specific matters on which the Division's views are sought, or where the Division believes its views should be stated.

The Special Regulated Industries Section is responsible for activities in the banking, finance, securities and communications industries. The Section participates in proceedings before numerous federal regulatory agencies including the Federal Reserve Board, Federal Deposit Insurance Corporation, Securities and Exchange Commission, Commodities Futures Trading Commission and the Federal Communications Commission. The Section also investigates and litigates violations of the antitrust laws within these areas that are not subject to regulatory controls.

FOREIGN COMMERCE SECTION

The Foreign Commerce Section conducts civil and criminal investigations of business activities that may illegally restrain U.S. export or import trade or inhibit international investment. The Section also monitors

and participates in competition-related proceedings at the International Trade Commission, handles legislation relating to foreign competition, and deals with international organizations concerning competition issues.

APPELLATE SECTION

The Appellate Section handles appeals arising from civil and criminal cases brought by the United States under federal antitrust laws. It represents the United States before the Courts of Appeals on petitions to review orders of various federal regulatory agencies, and participates as *amicus curiae* in selected private antitrust cases. As authorized by the Solicitor General, the Section also appears before the U.S. Supreme Court.

EVALUATION SECTION

The Evaluation Section prepares legal analyses of new or difficult issues of antitrust law that arise in statutory enforcement or regulatory agency proceedings. In order to assure consistency with Division policy, the Section assists trial staffs by reviewing legal pleadings on sensitive substantive or procedural questions. The Evaluation Section is further responsible for the Division's legislative activities.

EXAMPLES OF RECENT LITIGATION

In *U.S. v. LTV and Republic Steel,* on February 15, 1984, the Division announced that it would oppose the merger of the third and fifth largest domestic steel companies because of resulting unacceptably high increases in concentration in the markets for carbon and alloy hot and cold rolled sheet steel and in cold rolled stainless steel. On March 21, 1984, the Division filed a complaint challenging the acquisition under Section 7 of the Clayton Act, accompanied by a consent decree ordering the divestiture of two steel plants. The consent decree is designed to preserve competition in the affected steel markets while at the same time permitting the otherwise unobjectionable merger. The proposed consent decree became final upon court approval on August 2, 1984.

In *U.S. v. Fischbach and Moore, Inc., et al,* a grand jury in Pittsburgh, Pennsylvania, returned a one-count indictment charging six companies and five individuals with a violation of Section 1 of the Sherman Act. In late 1983, one of the defendants pleaded guilty and agreed to pay a $1 million fine pursuant to a plea agreement. On February 1, 1984, four defendants attempted to change their pleas to *nolo contendere.* The court accepted one and rejected the others. On February 6, 1984, the nine remaining defendants stood trial. The court granted two defendants' motions for judgment of acquittal. On March 7, 1984, the jury returned guilty verdicts against the remaining seven defendants, who received fines totaling $3,160,000. Three of the defendants were sentenced to 90 days in jail.

On October 5, 1984, in *U.S. v. Alcan Aluminum Limited, et al,* the Division sued to enjoin a proposed acquisition by Alcan Aluminum Company of aluminum-producing assets from Arco. The proposed sale would have significantly increased concentration in the production and sale of can stock. The Division reached a settlement with the defendants whereby the defendants agreed to operate the plant as a joint venture, with Arco owning a majority share. The settlement requires, however, that Alcan and Arco sell their shares of the plant's production independently of each other. The arrangement gave Alcan additional capacity to produce can stock, and allowed Alcan's expertise to be used in operating the plant, while preserving Arco (or its successor) as a strong, independent competitor.

The Antitrust Division has also been very active in conducting major criminal investigations into the electrical construction industry. For the period October 1, 1983, through September 30, 1984, the Division initiated 20 criminal prosecutions involving 22 companies and 18 individuals in connection with conspiracies to rig bids on electrical construction projects in Indiana, Kentucky, North Carolina, Ohio, and Pennsylvania. Fourteen cases, involving twelve corporations and ten individuals, have been resolved through guilty pleas. Four cases, involving eight companies and six individuals, are scheduled for trial. Twenty-one defendants have been fined over $1 million and seven individuals have been sentenced to serve an average of 107 days in jail. Currently, the Division is using 15 grand juries impaneled in 11 states to investigate possible bid rigging conspiracies.

CIVIL DIVISION

The Civil Division is known as the "government's lawyer." This is sometimes a complicated role, since in every case there are two clients: the agency concerned and the people of the United States. Many of the Division's cases have significant domestic and foreign policy implications. Since the government

On July 23, 1983, the greatest municipal bond default in American history occurred. The Washington Public Power Supply System (WPPSS) announced on that date that it could not pay back $2.25 billion in bonds that had been issued to finance the construction of nuclear power plants. As various parties attempt, through numerous lawsuits, to fix liability for this record-breaking financial calamity, Civil Division attorneys defend the interests of the United States.

engages in buying, selling and other ventures similar to those of a modern corporation, the Division also handles the complete spectrum of legal problems encountered by private enterprise. The Division's clients include more than a hundred federal agencies and commissions, individual federal employees acting in their official capacities, and in some instances, members of Congress and the federal judiciary.

The Division's litigation is organized into six areas: commercial litigation, federal programs, torts, appellate staff, immigration litigation, and consumer litigation. A description of each of the organizational areas follows, along with general information about the operation of the Division. The Division employs a small number of attorneys in its field offices located in New York, Portland, and San Francisco.

Civil Division attorneys enjoy the convenience of the "modern law office" through AMICUS, the Automated Management Information Civil User System. AMICUS provides comprehensive integration of word processing, communications, litigation support, legal research, case management, and management information through a single video display workstation. The system also provides communication capabilities between workstations and between offices, both local and remote.

COMMERCIAL LITIGATION BRANCH

The Commercial Litigation Branch handles civil trial and appellate cases involving billions of dollars in claims both for and against the government. This Branch:

- Prosecutes claims for the recovery of monies fraudulently secured or improperly diverted from the U.S. Treasury.
- Defends the country's international trade policy.
- Defends and asserts the government's financial and commercial interests in foreign countries and under foreign treaties.
- Collects monies owed the United States as a result of civil judgments and compromises.
- Represents the government both affirmatively and defensively in disputes arising under contracts, grants, loans, loan guarantees, and insurance programs.
- Defends patent and copyright claims brought against the government.
- Represents the government's monetary and regulatory interests in bankruptcy litigation.

FEDERAL PROGRAMS BRANCH

The Federal Programs Branch handles, principally, suits challenging the propriety, lawfulness or constitutionality of various governmental programs or actions. The subject matter of the cases covers virtually all areas of government activity, from domestic welfare programs to international agreements. The Branch is responsible for such diverse matters as litigation of federal banking regulations, suits challenging auto

safety laws, and cases seeking release of classified documents. Other cases involve constitutional attacks on federal statutes, and challenges to government policies with national or international significance. For example, in a recent case, plaintiffs sought to halt further economic or military assistance to the government of El Salvador.

TORTS BRANCH

The work of the Torts Branch includes traditional problems such as personal injury and medical malpractice, as well as new issues such as exposure to toxic substances (e.g., radiation and asbestos). In addition, the Torts Branch represents present and former government officials who are personally sued for monetary damages as a result of actions taken in their official capacity. Finally, this Branch represents the government in its role as owner of ships and aircraft and regulator of the nation's airspace, coastal waters, and inland waterways. Issues in this area may involve cargo damage, ship collision, and pollution in navigable waters. Aviation litigation arises from damages involving government aircraft or resulting from the government's role in air traffic control.

OFFICE OF IMMIGRATION LITIGATION

The Office of Immigration Litigation conducts civil trial and appellate litigation under the immigration and naturalization laws, and represents the United States in civil suits brought against the Immigration and Naturalization Service (INS). Litigation activities include challenges to detention and deportation orders of aliens, and habeas corpus petitions. This Office is also involved in processing applications for political asylum. It represents the INS in challenges to its efforts to locate and apprehend illegal aliens, and in those cases which allege deprivation of constitutional rights.

OFFICE OF CONSUMER LITIGATION

The Office of Consumer Litigation is responsible for the enforcement of federal consumer protection laws through civil and criminal litigation. In this role, the Office defends challenges to federal policies and initiatives aimed at protecting the public in the marketplace. Affirmative litigation covers such areas as adulterated and misbranded foods and drugs, unsafe household products, unfair credit practices, and deceptive advertising. For example, the Office handles criminal prosecutions relating to such matters as fraud in clinical testing of drugs, illegal marketing of drugs, and maintaining foods under unsanitary conditions. In addition, through the initiation of grand jury and criminal proceedings under the federal statute prohibiting odometer tampering, the Office addresses a pervasive economic fraud estimated to cost the public as much as $2.8 billion a year. To address those issues that are beyond federal jurisdiction, the Office also maintains liaison with state and local enforcement agencies.

APPELLATE STAFF

The Appellate Staff handles appeals work for the entire Civil Division, and thus has a caseload representative of the cases from all Division Branches. Appellate Staff attorneys write briefs and present oral arguments in government cases which are on appeal from lower courts or that are appealed directly from administrative agencies. In addition, for Civil Division cases, attorneys participate in drafting various documents for the U.S. Supreme Court, including briefs on the merits, petitions for a writ of certiorari, and jurisdictional statements.

OFFICE OF REGULATORY AND LEGISLATIVE AFFAIRS

The Office of Regulatory and Legislative Affairs provides a focal point through which the Civil Division can affect legislation and administration policy. Because it conducts the government's litigation, the Civil Division is in a unique position to identify the problems in programs and procedures created by or revealed in litigation. This Office works with other organizations within the Department, the Office of Management and Budget, other federal agencies, and the Congress to correct problems identified in the course of litigation and to suggest alternatives to current or proposed policy. Among the activities of this Office are the drafting of legislation, the preparation of Congressional testimony, and the review of legislative or regulatory proposals to determine their effect on Department policies or activities. In addition, the Office works on court reform and procedural legislation.

EXAMPLES OF RECENT LITIGATION

In a landmark case alleging injuries due to exposure to low levels of ionizing radiation, *Johnston v. United States,* four employees of an aircraft instrument overhaul plant who contracted cancer sued the United States for damages. They alleged that some of the war surplus instruments they had overhauled for the Air Force had radioactive dials which caused their illness. After a lengthy trial, the district court held that plaintiffs had failed to prove causation.

At the same time, litigation arising out of exposure to asbestos continues. Collectively, these cases constitute the largest single class of litigation pending in the federal and state judicial systems. Seeking the protection of bankruptcy laws, major corporations have sought to shift the burden of compensating victims of asbestos-related diseases to the taxpayer. In other cases, victims (or their survivors) have brought actions directly against the government. In the only judgment adverse to the United States to date, *Shuman v. United States,* the widow of a shipyard worker alleged that her husband's death had been caused by exposure to asbestos while involved in the construction of a Navy vessel. This case is now on appeal.

The September 1, 1983 Soviet downing of Korean Airlines flight 007 over the Sea of Japan has given rise to numerous lawsuits against, among others, the United States. Alleging that the United States was negligent in failing to warn the aircraft it was off course and entering Soviet airspace, the estates and personal representatives of those killed in the aircraft are seeking tens of millions of dollars in damages. This consolidated multi-district litigation is presently in pretrial discovery.

Recent success in the Mariel Cubans litigation made it possible immediately to institute procedures to deport excludable aliens, pursuant to a December 1984 agreement with the Cuban government. Success in our litigation promises to ensure a flow of 100 deportations a month. Because the aliens have the right individually to seek relief, we will be handling these cases; as many as 20 to 30 trials per month may result, and many other cases will be resolved by court review and decisions based on paper documentation.

The past several years have witnessed an explosion in bankruptcy filings. Civil Division attorneys representing the monetary and regulatory interests of the United States, have been involved in most of the major cases, such as the bankruptcies of *Braniff, Continental Airlines, Air Florida, Wickes, Seatrain,* and *Waterman Steamship Company.*

Focusing on the serious problem of procurement fraud, the Attorney General and the Secretary of Defense jointly established the Defense Procurement Fraud Unit. Division attorneys have played a significant role in addressing this issue. For example, a $1.4 million suit was filed against Standard Air Parts for subverting procedures utilized in procuring spare parts. In another case, Chromalloy American Corporation paid a $4 million settlement for inflating the historic costs that formed the basis for price negotiations on a contract to repair jet engines for the Air Force.

Efforts in combating non-Defense fraud involve similar activities. Division attorneys have filed suit against several corporations and individuals for $16 million in damages arising from a scheme to pay bribes and extraordinary commissions in connection with the Export-Import Bank's financing the sale of $250 million worth of equipment to PEMEX (the Mexican national oil company). Recent decisions include summary judgments in favor of the United States to recover bribe monies taken in the ABSCAM cases including $48,000 against John Jenrette, $45,000 against Raymond Lederer, and $45,000 against Michael Meyer.

In other significant litigation, the government's suit continues against General Motors Corporation. This suit seeks the recall of 1.1 million "X-Car" automobiles, and civil penalties in the amount of over $4 million, as a result of a design defect in the braking system. In trial for over a year, this case is the first seeking to impose civil penalties against a manufacturer for providing false information to the government in the course of a defect investigation. In a similar effort to protect the American consumer, a major drug firm, Smith Kline-Beckman Corporation and three of its medical officers were successfully prosecuted for failure to report adverse reactions, including potentially fatal liver damage, to the new drug Selacryn.

CIVIL RIGHTS DIVISION

The Civil Rights Division is responsible for enforcing the nation's laws and executive orders relating to civil rights. These laws prohibit discrimination in the areas of housing, public education, voting, employment, public accommodations and credit on the basis of race, national origin, color and religion. Additionally, some laws enforced by the Division prohibit discrimination on the basis of sex, age, and handicap. Moreover, the Division enforces laws designed to protect institutionalized persons, and federal criminal statutes which prohibit violation of individuals' civil rights and interference with the exercise of other federally protected activities.

The primary work of the Division involves litigation and related matters. Except for the criminal enforcement work, where cases are normally tried before a jury, the suits filed by the Division are in equity—usually before a single judge seeking injunctive relief.

The Division does not have regional offices. All Division employees are stationed in Washington, D.C. Nearly all Division attorneys are required to travel since litigation activities occur in all parts of the United States. Experienced attorney applicants who wish to be considered for the Appellate and Criminal Sections normally are expected to have significant experience in the subject areas.

APPELLATE SECTION

The Appellate Section is responsible for handling appeals arising from the Division's litigation, and developing the Division's *amicus curiae* participation in appellate courts. Section attorneys review court decisions to determine if an appeal or amicus participation is appropriate, prepare briefs, and participate in oral arguments. The Appellate Section is also responsible for preparing all papers submitted by the Division in the U.S. Supreme Court. It also assists in formulating the Division's positions on legislative matters.

COORDINATION AND REVIEW SECTION

The Coordination and Review Section ensures that all federal executive agencies effectively and consistently implement Title VI of the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the nondiscrimination provisions of other federal grant statutes prohibiting discrimination on the basis of race, color, national origin, handicap, religion or sex. Under Executive Order 12250, the Section undertakes a diverse array of regulatory and administrative initiatives. The Section reviews all new civil rights regulations for consistency, adequacy, and clarity, and assists agencies in the development of appropriate regulations. The Section also issues interpretations of these regulations in individual administrative cases and provides guidance to the agencies on new civil rights issues. The Section annually reviews the civil rights plans of each federal agency, offers agencies training and technical assistance to improve their civil rights enforcement procedures and programs, and promotes interagency information sharing and cooperation.

The Coordination and Review Section developed government-wide policies that, for the first time, apply Section 504 to the federal government's own activities. The Section is now overseeing the development of regulations in over 90 federal agencies to ensure that disabled people have access to the government's programs.

CRIMINAL SECTION

The Criminal Section enforces statutes designed to preserve personal liberties. Two of these laws, passed during Reconstruction, prohibit persons from acting under color of law or in conspiracy with others to interfere with an individual's federally protected rights. Other statutes prohibit the holding of individuals in peonage or involuntary servitude. The Section is also responsible for the enforcement of the provisions of the 1968 Civil Rights Act which prohibits the use of force or threats of force to injure or intimidate any person involved in the exercise of certain federal rights and activities.

The Section receives approximately 10,000 complaints and inquiries each year. Of these, about 3,400 are fully investigated by the Federal Bureau of Investigation. The results of approximately 50 investigations are presented to federal grand juries, and approximately 30 cases are tried annually.

EDUCATIONAL OPPORTUNITIES LITIGATION SECTION

The Educational Opportunities Litigation Section enforces federal statutes which require nondiscrimination in public education. The Section's enforcement efforts involve elementary and secondary schools, as well as public colleges and universities. The statutes enforced by this Section include Title IV of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974.

With respect to secondary and elementary schools, the Division is committed to desegregating schools operating in violation of the Constitution, while improving the nature of relief by providing incentive desegregation plans. Instead of remedies based upon mandatory student assignments and compelled transportation to distant schools, the Division advocates constitutionally acceptable plans developed through the use of education experts that utilize as desegregation tools educational incentives and enhancements, such as magnet schools, enrichment programs, and other viable voluntary measures, and offers free transportation to those students who choose to take advantage of these opportunities. These alternative desegregation remedies are not only accomplishing the objective of enhancing educational opportunities in public schools, but, as designed, are intended as well to limit (and even reverse) student enrollment losses prompted by mandatory reassignments that have too often tended to resegregate urban school systems and undermine community support for public schooling.

EMPLOYMENT LITIGATION SECTION

The Employment Litigation Section enforces the federal prohibitions against discrimination in employment. These include Titles VII of the Civil Rights Act of 1964, the State and Local Assistance Act (general revenue sharing) and the Omnibus Crime Control and Safe Streets Act (LEAA assistance). The Department of Justice is the sole federal agency empowered to initiate litigation to redress employment discrimination by units of state and local government. In addition, it has litigating responsibility in the employment area in the private sector on referral of "pattern and practice" cases from other agencies.

The Employment Litigation Section is committed to ensuring that qualified applicants are not denied employment or promotional opportunities either through purposeful discrimination or by the use of selection procedures which have a disparate impact and are not either job related or reflective of a bona fide occupational qualification.

The Section insists as an element of relief that every identified victim of discrimination be "made whole" with back pay, seniority awards, and other relief; that special recruitment of minorities and women be undertaken to overcome past patterns of exclusion; and that all future hiring, promotion and layoff decisions be made on a nondiscriminatory basis from the developed pool of applicants. The Section does not use race or gender preferential selection requirements that confer an undeserved benefit on nonvictims of discrimination at the expense of persons who are themselves innocent of any discrimination or other wrongdoing.

HOUSING AND CIVIL ENFORCEMENT SECTION

The Housing and Civil Enforcement Section enforces the federal prohibitions against discrimination in housing, credit, public accommodations and the provision of municipal services under federally funded programs. These statutes include the Fair Housing Act, the Equal Credit Opportunity Act, Title II and Title VI of the Civil Rights Act of 1964, the State and Local Assistance Act and the Housing and Community Development Act (community development block grants).

SPECIAL LITIGATION SECTION

The Special Litigation Section is responsible for ensuring the rights of persons confined in penal institutions or committed to facilities for the mentally ill, developmentally disabled, elderly, and juveniles pursuant to the Civil Rights of Institutionalized Persons Act, Public Law 96-247. The Special Litigation Section, along with certain other sections, is charged with the responsibility for enforcing Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination against physically and mentally handicapped persons by recipients of federal financial assistance. This statute addresses discrimination suffered by handicapped persons in health and social services, education and employment, as well as in architectural accessibility of such services.

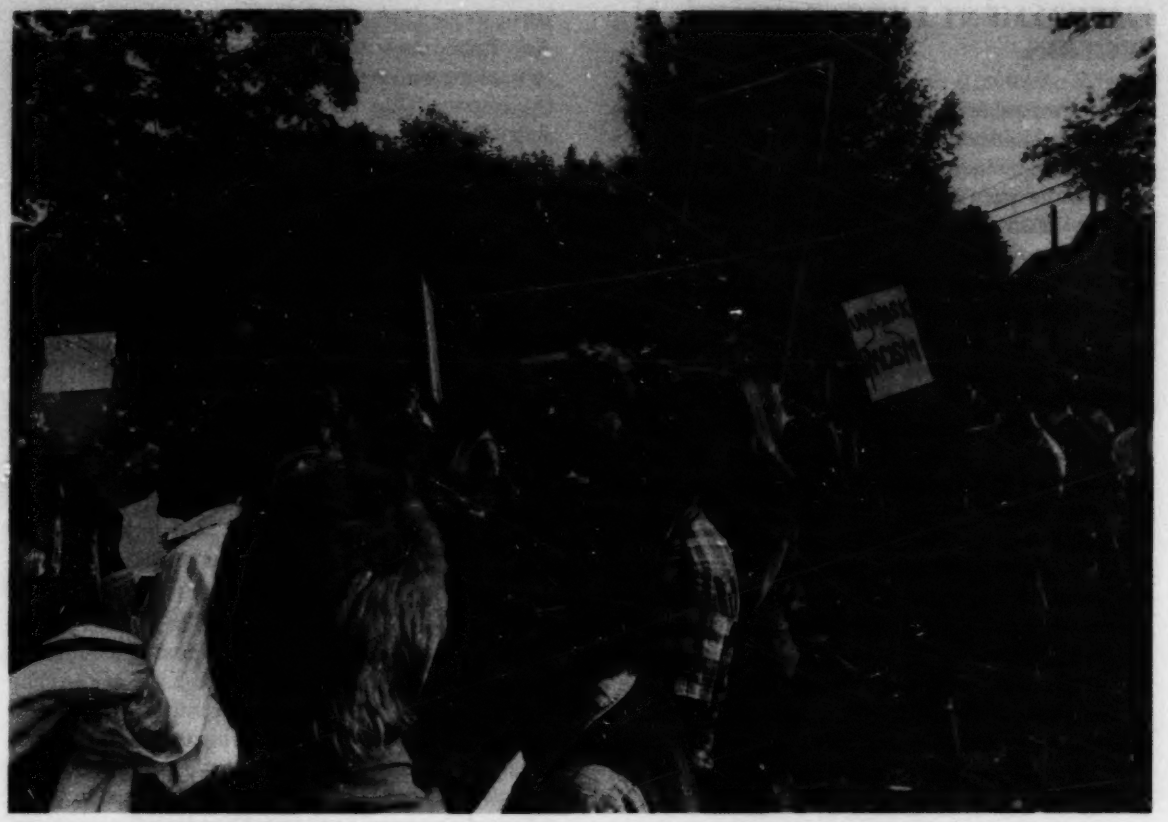
VOTING SECTION

The Voting Section enforces federal provisions which pertain to nondiscrimination in the exercise of voting rights. These include the 1965 Voting Rights Act, the Overseas Citizens Voting Rights Act, and the voting rights provisions which have evolved from the Civil Rights Acts of 1957, 1960 and 1964. In 1982, the Congress determined that the Voting Rights Act was still necessary to attain the desired goal of elimination of discrimination in voting on the basis of race and language minority status. Congress thus amended the Act to address more subtle forms of discrimination, extended the provisions of Section 5 requiring federal pre-clearance of voting changes in certain states, and adopted new provisions permitting jurisdictions to exempt themselves from the Act's special coverage, upon demonstration of a record of compliance and affirmative efforts to eliminate discriminatory voting practices.

Under the provisions of the Voting Rights Act, the Voting Section continues to maintain an active program for monitoring elections in covered jurisdictions to ensure nondiscrimination in the electoral process. In 1984, over 1,000 federal observers were utilized for that purpose in Alabama, Georgia, Mississippi, North Carolina, South Carolina and Texas.

EXAMPLES OF RECENT LITIGATION

Recent criminal cases have included successful prosecutions in Montgomery, Alabama; Atlanta, Georgia; Milwaukee, Wisconsin; and Detroit, Michigan, of private individuals (some of whom are members of the Ku Klux Klan) for their involvement in incidents of racial violence. Other significant cases include the indictment of ten officers of the Police of Puerto Rico on charges of conspiracy to obstruct justice and numerous substantive counts of perjury regarding their involvement in the unlawful killing by police of two



In 1984 a record number of racial violence prosecutions were filed by the Civil Rights Division.

independence advocates, and the indictment and subsequent guilty plea to charges of sexually assaulting quadriplegic and retarded children by a defendant licensed by the state to operate a foster home. In Tyler, Texas, one defendant pled guilty and two defendants were convicted on charges of illegally transporting 19 Mexican aliens across the state in an enclosed U-Haul and forcing them to work on a farm without providing adequate food or water.

In the area of public education, the Educational Opportunities Litigation Section has recently focused a major effort on eliminating discrimination in higher education. An example of a recently filed case is *United States v. State of Alabama*, where the Section seeks nondiscriminatory access for all students and employees to colleges and universities in Alabama. This is a major case which has required extensive investigation and discovery. The Section also recently entered into a consent decree in *Zentgraf & United States v. Texas A&M University*, a Title IX case which provides for the nondiscriminatory participation by female cadets in all programs and activities of the university's Corps of Cadets. In 1984, the Section concluded a year long trial involving Yonkers, New York, where both housing and school discrimination issues were litigated. Finally, the Section litigated the issue of constitutionally acceptable desegregation plans in a number of cases.

The Employment Litigation Section has litigated the use of examinations which artifically denied minority applicants the opportunity to compete for employment opportunities on an equal basis as nonminorities in major municipal police departments; and in 12 municipal fire departments. Other suits pending involve racially discriminatory employment practices by school districts and state and municipal agencies. The Section has challenged the lawfulness of physical performance standards which discriminate against female applicants for positions with police and fire departments; and has challenged the practices of state and local prison systems which exclude women from guarding male prisoners.

In addition, the Section's enforcement activities have included challenges to discriminatory conduct by employers aimed at disadvantaging nonminority employees or potential employees on account of race,

color or national origin. In this connection, the Division participated recently in a major employment discrimination case, *Local Firefighters Union v. Stotts*, where the U.S. Supreme Court rejected a race-conscious, quota layoff procedure ordered by the lower court on the ground that it exceeded the court's victim-specific remedial activity under Title VII of the Civil Rights Act of 1964.

In 1984 more than 30 housing suits were authorized, including two cases against large developers with multistate apartment complex operations, *United States v. North Delaware Realty Company* and *United States v. Community Planning and Development Associates*, and another suit which challenged the use of racial quotas to exclude blacks in a 5,900 unit apartment development in New York, *United States v. Starrett City, Inc.* The Housing and Civil Enforcement Section also filed two major credit cases in 1984, which were resolved through consent decrees.

The Special Litigation Section has been very successful in negotiating a number of settlement agreements resolving investigations initiated pursuant to the Civil Rights of Institutionalized Persons Act. These judicially enforceable consent decrees address unconstitutional conditions of confinement at two mental health institutions in *United States v. State of Indiana;* three state prisons in *United States v. State of Michigan*; a mental retardation facility in *United States v. State of Maryland*; and a local Tennessee jail in *United States v. Bedford County*. In addition, two lawsuits were filed pursuant to the Act concerning unconstitutional conditions of confinement at the police holding facilities in Newark, New Jersey, in *United States v. City of Newark*; and at a mental health facility located in Worcester, Massachusetts, in *United States v. Commonwealth of Massachusetts*. These cases ensure that the subject institutionalized persons are afforded the rights guaranteed by the Constitution and federal law.

The Voting Section has been successful in its efforts to enforce Section 2 of the Voting Rights Act, as amended in 1982. Since August 1983, the Department has filed ten cases under Section 2 and intervened as plaintiff in three cases. Most of those cases involve challenges to at-large election systems that deprive minority voters of an equal opportunity to participate in the political process and to elect candidates of their choice. For example, the Section challenged the at-large system for electing county commissioners in Halifax County, North Carolina, where blacks comprise nearly half the county's population but had not been able to elect a black candidate to the county commission despite repeated attempts. In July 1984, the Section obtained a preliminary injunction in the *Halifax* case requiring the election to be held under a single-member district system adopted by the court, which resulted in the election of a black candidate for the first time in this century. The Section also intervened in eight other private lawsuits to defend the constitutionality of Section 2 as amended by Congress in 1982.

CRIMINAL DIVISION

The Criminal Division formulates federal criminal law enforcement policies, coordinates the implementation of those policies, and conducts selected prosecutions with respect to all federal criminal laws except those which are specifically assigned to the Antitrust, Civil Rights, Land and Natural Resources or Tax Divisions. The Division oversees the prosecution of criminal offenses under more than 900 statutes. Although most criminal prosecutions are conducted by the U.S. Attorneys, the Criminal Division asserts direct responsibility for certain general categories of offenses and, in some specific instances when circumstances warrant, direct intervention. The Criminal Division also supervises certain civil litigation regarding federal liquor, narcotics, counterfeiting, gambling, firearms, customs, agriculture and immigration laws, and litigation resulting from petitions for writs of habeas corpus by members of the Armed Forces, actions brought by or on behalf of federal prisoners, alleged investigative misconduct, and legal actions related to national security issues.

In general, attorneys with litigating experience are selected for employment by the individual operating components of the Division according to the suitability of the candidate for the particular requirements of the employing Section or Office. With regard to the Honor Program, it is the Criminal Division's general policy to rotate Honor Program attorneys among the Division's legal support staff the first year. This policy allows the new attorney to gain a breadth of experience and exposure to the work done throughout the Criminal Division. In the second year of employment, the attorney may be assigned to a litigating section according to the attorney's preference and the Division's needs, with as much regard to the attorney's preference as possible.

The Criminal Division has Organized Crime and Racketeering Strike Forces, and field offices under the

Strike Forces, throughout the country. Strike Forces are located in the following cities: Boston, Brooklyn, Buffalo, Chicago, Cleveland, Detroit, Kansas City, Las Vegas, Los Angeles, Miami, Newark, New Orleans, Philadelphia, and San Francisco. The Section's field offices are located in the following cities: Atlanta, Camden, Fort Lauderdale, Honolulu, Milwaukee, New Haven, Providence, Rochester, Scranton, Syracuse, and Tampa. The General Litigation and Legal Advice Section has a field office in Puerto Rico, as does the Narcotic and Dangerous Drug Section. The Narcotic and Dangerous Drug Section also maintains field offices in Chicago and Miami.

ORGANIZED CRIME AND RACKETEERING SECTION

The Organized Crime and Racketeering Section conducts investigations and prosecutes cases to suppress the illicit activities of organized crime in major United States cities. Most of the attorneys in this Section are stationed in Organized Crime Strike Forces and field offices with representatives of federal enforcement agencies, and in some instances, state and local enforcement agencies. As enumerated above, the Strike Forces operate in 26 major cities around the country.

NARCOTIC AND DANGEROUS DRUG SECTION

The Narcotic and Dangerous Drug Section investigates and prosecutes high level drug traffickers and members of criminal organizations involved in the importation, manufacture, shipment or distribution of illicit narcotics and dangerous drugs, with particular emphasis on litigation attacking the financial underpinnings of those criminal organizations.

PUBLIC INTEGRITY SECTION

The Public Integrity Section investigates and prosecutes corruption cases involving public officials and the electoral system at the federal, state and local levels.

FRAUD SECTION

The Fraud Section directs and coordinates the federal effort against fraud and white collar crime, focusing primarily upon frauds that involve government programs and procurement, international and multi-district fraud, the security and commodity exchanges, banking practices and consumer victimization. The Section conducts investigations and prosecutes certain fraud cases of national significance or great complexity.

INTERNAL SECURITY SECTION

The Internal Security Section investigates and prosecutes cases affecting the national security, foreign relations, and the export of military and strategic commodities and technology. It also administers and enforces the Foreign Agents Registration Act of 1938 and related statutes. This Section has exclusive prosecutorial responsibility for criminal statutes regarding espionage, sabotage, neutrality, and atomic energy. Criminal cases involving classified information, especially the application of the Classified Information Procedures Act, are coordinated by this Section.

GENERAL LITIGATION AND LEGAL ADVICE SECTION

The General Litigation and Legal Advice Section investigates and prosecutes cases under a broad spectrum of federal criminal statutes regarding crimes against the government and the public. This Section provides legal advice to U.S. Attorneys and investigative agencies and also handles certain civil matters including the defense of suits against actions taken by the Bureau of Prisons and the Parole Commission.

APPELLATE SECTION

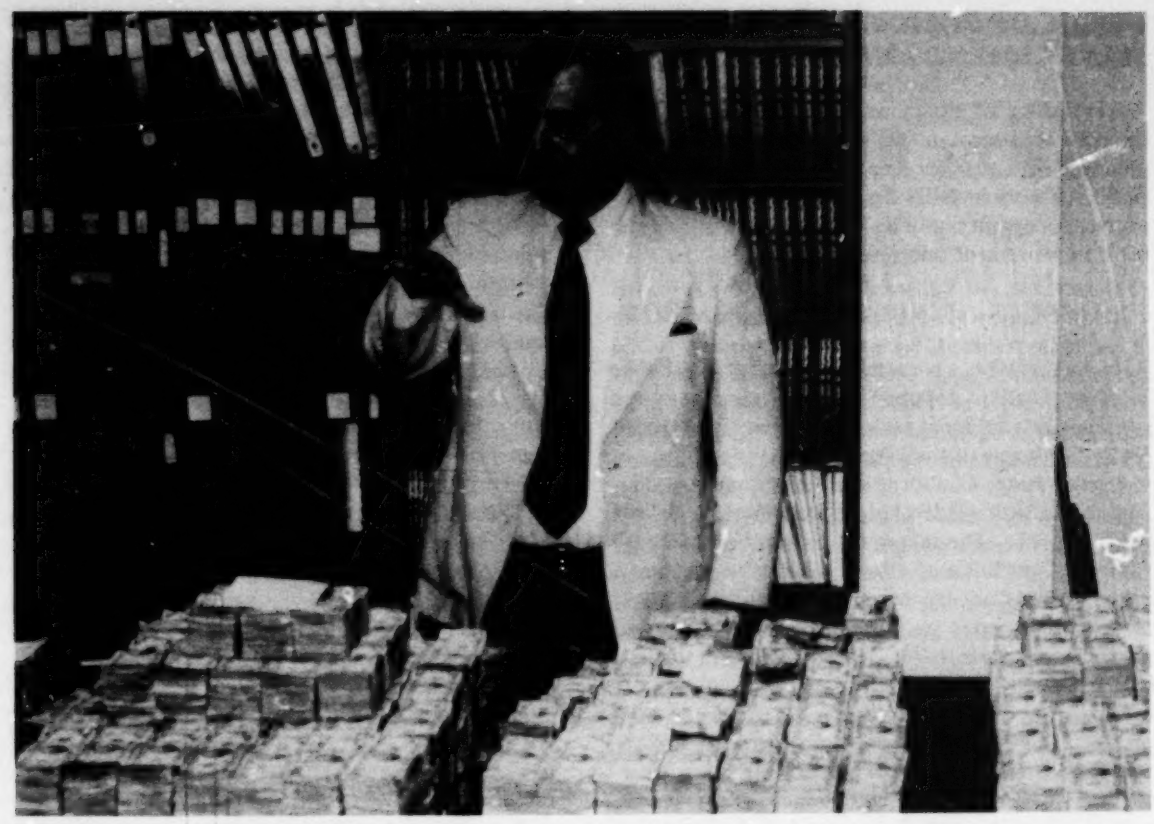
The Appellate Section assists the Office of the Solicitor General in obtaining favorable constitutional and statutory interpretations in criminal cases being heard on appeal before the U.S. Supreme Court and the twelve U.S. Courts of Appeals.

OFFICE OF SPECIAL INVESTIGATIONS

The Office of Special Investigations detects, identifies and takes appropriate legal action leading to the denaturalization and/or deportation of Nazi war criminals who were involved in atrocities committed against civilian populations during World War II, and who subsequently illegally entered the United States.

OFFICE OF INTERNATIONAL AFFAIRS

The Office of International Affairs supports the Department's legal divisions, the U.S. Attorneys, and state and local prosecutors regarding international criminal justice enforcement matters pursuant to treaties concerning extradition, mutual legal assistance and prisoner exchange. The Office also engages in treaty negotiations, in concert with the State Department, in these areas.



Trial Attorney Jorge Rios of the Narcotic and Dangerous Drug Section, explains the seizure of $3.7 million in U.S. currency from a Colombian money launderer, part of the $10 million that was ultimately forfeited to the government in the *United States v. Sonal* case. This case was prosecuted by Operation Greenback, which Rios then directed, in the Southern District of Florida. The prosecution resulted in the criminal conviction of Colombian citizen Beno Ghitis, head of the money laundering operation.

OFFICE OF ENFORCEMENT OPERATIONS

The Office of Enforcement Operations oversees the use of sensitive and sophisticated investigative techniques such as witness protection and electronic surveillance. It also assists and supports government prosecutors by approving grants of immunity and responding to inquiries under the Freedom of Information Act and the Privacy Act.

ASSET FORFEITURE OFFICE

The Asset Forfeiture Office develops uniform policies and assists in the prosecution of both civil and criminal asset forfeiture cases, particularly regarding narcotics trafficking, organized crime and customs violations. The Office reviews all petitions for remission or mitigation of forfeited assets.

OFFICE OF LEGISLATION

The Office of Legislation develops legislative proposals, legal memoranda, Congressional testimony, and prepares comments upon pending and proposed legislation affecting the federal criminal justice system. It also provides legal support to the Advisory Committee on Criminal Rules of the Judicial Conference regarding the Federal Rules of Criminal Procedure.

OFFICE OF ADMINISTRATION

The Office of Administration provides all administrative support to each of the sections, offices and field offices of the Division, including administrative management, automated data processing, personnel services, procurement, budget formulation and the execution of financial plans.

OFFICE OF POLICY AND MANAGEMENT ANALYSIS

The Office of Policy and Management Analysis develops and recommends positions on policy and management issues for Department and Division officials. Its work includes developing priorities and objectives, program planning and evaluation, management improvement and research liaison.

EXAMPLES OF RECENT LITIGATION

In August 1984, a prosecution team from the Public Integrity Section obtained a guilty verdict in the government's criminal tax case against Chief Judge Harry Claiborne of the District of Nevada. The conviction of Judge Claiborne represented the first conviction of a sitting federal judge for crimes committed while in office. The successful prosecution of Judge Claiborne was initiated after his first trial ended in a mistrial when the jury was unable to agree on a verdict. For the second trial, the prosecutors eliminated the bribery charges that had been included in the first trial because those charges rested too heavily on the testimony of an unsavory witness. By concentrating on the tax charges, the prosecutors were able to present a more straightforward case to the jury. Ultimately, they succeeded in piecing together the evidence in a clear, comprehensible fashion leading the jury to the inescapable conclusion of guilt.

In late 1982, the U.S. Attorney for the Eastern District of Tennessee requested the assistance of the Fraud Section in evaluating evidence of bank fraud in the Butcher banking empire located in that region. Soon thereafter the Federal Deposit Insurance Corporation (FDIC) began closing for insolvency many of the banks in the control of the Butcher family. With the U.S. Attorney, Fraud Section attorneys directed an investigation conducted by the Federal Bureau of Investigation in cooperation with the FDIC and other federal and state bank regulatory agencies, The investigation yielded substantial documentary evidence that loans had been falsely secured for the benefit of the bank's owners. In November 1983, a court ordered search resulted in the seizure of documentary evidence from the residence of a principal subject of the investigation. One year later the first in a series of indictments in this case was issued and by March 1985, two cases were scheduled for trial in Knoxville and two other cases were scheduled for trial in Memphis and Lexington. The charges brought thus far involve $21 million in fraudulent loans and the investigation is continuing. In addition, a separate tax indictment has been returned against the principal owner of the banks.

Faced with a plethora of evidence in the form of 20,000 to 50,000 drug prescription scripts, attorneys in the Narcotic and Dangerous Drug Section arranged for the design of a method for recording data from the prescriptions on a mainframe computer, in conjunction with personal computers. The system allowed them to analyze patterns of activity that demonstrated to the grand jury, and subsequently to the court, how hundreds of thousands of Schedule II controlled substances were being diverted for nonmedical uses. The pilot case in which these methods were deployed resulted in the indictment of over 40 individuals in the Southern District of Indiana. The principal target in this case, Sterling Litiskas, accepted a preindictment plea offer in January 1985, under which he will serve a 20 year prison term and forfeit property valued at nearly $1 million.

Through an agreement negotiated by attorneys in the Office of Special Investigations (OSI), Arthur L.H. Rudolph, a German-born former United States citizen and resident, relinquished his United States citizenship on May 25, 1984, and permanently left the United States on October 17, 1984. OSI researchers demonstrated in convincing fashion that Rudolph, who designed the Saturn V rocket for the United States' space program, had participated in the persecution of forced laborers at the Mittelwerk underground rocket factory in central Germany from 1943 to 1945. In exchange for Rudolph's departure and voluntary renunciation of citizenship, the Department of Justice agreed to refrain from filing suit to obtain his denaturalization and deportation. The agreement with Rudolph is one of the notable examples of the Criminal Division's ongoing program to denaturalize and deport individuals who concealed activities committed on behalf of the Nazi regime in Germany during World War II in order to gain entrance to the United States.

Following extensive negotiations with the Spanish Ministry of Justice and proceedings in Spanish courts, attorneys from the Office of International Affairs secured the extradition of Gaetano Badalamenti and Pietro Alfano to stand trial in New York for operating a continuing criminal enterprise and related offenses. The extradition request succeeded even though informed authorities in Spain initially advised that extradition would be nearly impossible due to the complexity of the charge, the fact that Badalamenti had never been within the territory of the United States, and because Badalamenti was an Italian national with a pending Italian request for extradition based upon homicide charges. The Office of International Affairs consulted at length with Spanish officials and submitted a wide array of documents supporting the

charges against the subjects and the severity of the alleged offenses. Ultimately the extradition request of the United States prevailed and the subjects were transferred to the custody of the United States in December 1984. Badalamenti and Alfano are scheduled to stand trial in June 1985.

LAND AND NATURAL RESOURCES DIVISION

The responsibilities of the Land and Natural Resources Division include litigation involving the protection and enhancement of the American environment and wildlife resources; the acquisition, administration and disposition of public land, water and mineral resources; and the safeguarding of Indian rights and property.

ENVIRONMENTAL DEFENSE SECTION

The Environmental Defense Section defends litigation primarily on behalf of the Environmental Protection Agency (EPA), related to air and water resources, regulation and control of pesticides, and hazardous waste regulation and abatement. This defensive litigation generally falls into one of two categories: suits by industry and environmental groups challenging agency regulations which are, by statute, filed originally in the courts of appeals; and challenges to agency decisions relating to individual activities such as permits, grants, and variances, which are filed in district courts.

The Section also is responsible for defending a variety of federal agencies in actions brought to abate or clean up pollution emanating from federal facilities and installations. A majority of these actions arise in the context of hazardous waste disposal where it is alleged that the responsible federal agency failed to properly contain or dispose of hazardous chemical wastes. The potential liability of the United States and the resultant fiscal implications are enormous. In addition, the Section has pursued a vigorous enforcement litigation program on behalf of the Corps of Engineers to prevent unauthorized dredging and filling of waters of the United States.

ENVIRONMENTAL ENFORCEMENT SECTION

The Environmental Enforcement Section brings civil and criminal enforcement cases primarily on behalf of the Environmental Protection Agency related to the control and abatement of pollution of air and water resources, the regulation and control of toxic substances and pesticides, and the environmental hazards posed by hazardous wastes. These cases seek to enforce various environmental statutes, including the Resource Conservation and Recovery Act, the Comprehensive Environmental Response, Compensation and Liability Act ("Superfund"), the Clean Air Act, the Clean Water Act, and the Toxic Substances Control Act. The Section's major priorities include prosecutions under the "Superfund" statute and in the criminal area.

In the hazardous waste area, most cases are brought under "Superfund" for the purposes of protecting public health and ensuring that responsible parties, rather than the public, bear the burden of abating hazardous waste pollution. These cases frequently involve multiple defendants, present complex technical and legal issues, and require the use of computerized litigation support. The Section also reviews EPA policies upon request and advises senior Department management officials on issues relating to environmental enforcement.

WILDLIFE AND MARINE RESOURCES SECTION

The Wildlife and Marine Resources Section prosecutes and defends criminal and civil cases arising under the federal wildlife laws, and laws concerning the conservation and management of marine fish and mammals. Prosecutions focus on major smugglers and black market dealers in protected wildlife, most recently involving a large-scale international black market in birds of prey such as the endangered peregrine falcon. Controversial defensive civil litigation, particularly under the Endangered Species Act, in which the needs of protected species often collide with pressures for development and economic exploitation of resources is also the responsibility of the Section. Competing social and economic demands for limited fishery resources, such as Pacific salmon, also generate substantial litigation for Section attorneys.

GENERAL LITIGATION SECTION

The General Litigation Section conducts trial work in the federal district courts and the U.S. Claims Court involving all matters concerning federal property and natural resources not subject to one of the Division's

specialized sections. This includes litigation under the National Environmental Policy Act, the Federal Land Policy Management Act, the National Historic Preservation Act, all mineral laws, including onshore and offshore oil and gas, as well as coal mining matters. Seeking judicial deference to difficult resource management decisions of clients such as the Department of the Interior is a critical litigative goal. Attorneys also handle claims of "takings" or inverse condemnation against the United States, actions involving Indian trust property, quiet title actions, trespass actions and other actions to enforce protection of public lands. The Section defends the programs of natural resource management of other federal agencies, including water projects, grazing programs, timber sales, military programs, and property disposal.

INDIAN CLAIMS SECTION

The Indian Claims Section represents the United States in all legal and equitable claims asserted by Indian tribes on the grounds that the United States has failed to live up to its obligations to the tribes. Issues pursued in the litigation encompass a broad range of tribal resource complaints, including allegations of federal mismanagement of water rights and resources; oil, gas and mineral production; range, fishery and timber resources; and tribal funds.

INDIAN RESOURCES SECTION

The Indian Resources Section represents the United States in cases where the government supports rights claimed by individual Indians or Indian tribes. These include suits to establish water rights, to establish and protect hunting and fishing rights, to collect damages for trespass on Indian lands, and to establish reservation boundaries and rights to land. Other suits seek to protect rights unique to Indian tribes as quasi-sovereign governments, including rights to self-government and freedom from state regulation or taxation. This litigation is costly and protracted and the Section seeks ways of narrowing issues prior to litigation.

LAND ACQUISITION SECTION

The acquisition of land for the federal government, either by direct purchase or condemnation proceedings, is the responsibility of the Land Acquisition Section. In this litigation, the attorneys seek to implement the protections of the Fifth Amendment in a way which is fair to both property owners and taxpayers. Where land is purchased, attorneys prepare contracts or options to purchase and obtain title approval. Where land is acquired through condemnation, attorneys try the cases either directly or in conjunction with the U.S. Attorneys. Legal issues frequently include the power of the United States to condemn under specific acts of Congress, ascertainment of the market value of property, applicability of zoning regulations, and problems related to subdivisions, capitalization of income, and the admissibility of evidence.

POLICY, LEGISLATION AND SPECIAL LITIGATION SECTION

The Policy, Legislation and Special Litigation Section serves as special counsel to the Assistant Attorney General, and provides staff support for the Division's activities with working groups of the Cabinet Council and various agencies. The Section coordinates and directs the Division's legislative program including appearances of Division witnesses before Congressional committees. Other duties involve liaison with the public, the media and professional groups with an interest in the Division's work. Attorneys in the Section litigate cases for other sections and handle special litigation projects. These include an *amicus curiae* program, involving the United States in cases where major legal issues are to be decided and in which the United States has not previously been a party.

APPELLATE SECTION

The Appellate Section handles all appeals in cases initially tried in lower courts by other sections within the Land and Natural Resources Division. Attorneys draft briefs for all Division cases which reach the U.S. Supreme Court, and formulate recommendations to the Solicitor General that seek authority to appeal unfavorable decisions. New attorneys in this Section can anticipate briefing and presenting oral argument of at least three cases before federal courts of appeals and state appellate courts before the end of their first year.

ADMINISTRATIVE SECTION

In addition to the administrative functions of budget, personnel, procurement and other traditional services, the Section oversees an active automated litigation support program. Computer technology is applied in the organization and management of large volumes of evidentiary materials in complex or protracted litigation within the Division. A typical case may involve 100,000 documents which require microfilming, the design of a coding form, an index for creation of a computer database, and the generation of numerous reports. For management purposes, the

Division maintains an automated docket tracking system and an attorney time reporting system to assist in reducing costs of litigation in every way possible.

EXAMPLES OF RECENT LITIGATION

A major priority of the Land and Natural Resources Division is litigation arising under the Superfund Act, seeking to hold defendants liable for reimbursement of government expenses and site cleanup. Since January 1981, hazardous wastes settlements have been concluded which total in excess of $240 million. In *United States v. Chem-Dyne Corp., et al,* a suit was filed seeking reimbursement of $6 million in government expenditures incurred in a surface cleanup and site investigation, and injunctive relief to abate groundwater contamination at a site near Hamilton, Ohio. *United States v. Russell Bliss, et al,* concerns litigation to remedy dioxin contamination at sites in Missouri, where the dioxin presents a danger to public health or the environment. In *United States v. Stringfellow, et al,* suit was filed to recoup over $10 million in government cleanup funds spent to date, and to require further cleanup of a site where over 200 parties disposed nearly 35 million gallons of waste between 1956 and 1972. As a result of the settlement in *United States v. Olin,* Olin will remove DDT-contamination resulting from its manufacturing activities from 1948-1972 at Redstone Arsenal, and will pay $19 million to private claimants for personal injury claims. The Division is committed to prosecute these cases expeditiously and with a minimum of litigation costs.

The Division's conduct of criminal prosecutions under the environmental laws results in a consistently increasing number of indictments and convictions. One of the most significant cases was *United States v. A.C. Lawrence,* in which five corporate officials pled guilty to violations of the Clean Water Act and the false statement statute. The corporation was convicted of 30 counts involving the Clean Water Act, false statement, false claims, mail fraud and conspiracy. Thereafter, the corporation and four officials pled guilty to an indictment, the first of its kind, based upon the illegal storage and disposal of hazardous wastes. The individuals and the corporation were fined a total of

Litigation involving the cleanup of hazardous waste dump sites and the protection of the Nation's environment are major concerns of the Land and Natural Resources Division.

$475,920, the largest fine in the district of New Hampshire.

The Division has a very active docket of challenges to EPA regulations. For example, in *Chevron v. NRDC,* the Division defended EPA's major regulatory reform effort under the Clean Air Act, known as the "bubble" concept. The U.S. Supreme Court permitted EPA to regulate pollution sources in a flexible manner and issued a strong opinion advising courts to give deference to agency interpretations of the statutes they administer. This principle of deference is most important to the defense of decisions seeking to impose a rational regulatory framework on a highly technical and scientific subject matter.

In *United States v. Solcum,* the Division obtained convictions of defendant exotic bird importers who violated quarantine arrangements in order to hide evidence of Newcastle's disease. The result of these violations was that infected birds were allowed into the stream of commerce and a several million dollar nationwide cleanup was required.

In *Secretary of the Interior v. California,* the Division succeeded in easing the burden imposed on the Department of Interior's oil and gas lease program. The Division challenged, in the U.S. Supreme Court, the Ninth Circuit's decision that an outer continental shelf lease sale was an activity "directly affecting the coastal zone" under the Coastal Zone Management Act.

The question presented in *Metropolitan Edison v. People Against Nuclear Energy,* was whether the Nuclear Regulatory Commission's decision to resume operation of a nuclear power facility requires an environmental impact statement, which takes into consideration potential psychological injury flowing from community perceptions of the risk of nuclear accident. The U.S. Supreme Court concluded that the National Environmental Policy Act's reference to "environmental impacts" refers to effects on the physical environment rather than the *risk* of such effects.

TAX DIVISION

The Tax Division is responsible for representing the United States and its officers in civil and criminal litigation involving federal, state and local taxes in all courts, except the U.S. Tax Court. The Internal Revenue Service (IRS) is the Division's principal client, and its primary activities in that regard are the collection of federal revenues through the institution of many types of actions at the request of the IRS and the defense of tax refund and a variety of other suits brought by taxpayers; the provision of litigation support to the IRS in the conduct of its extensive investigation, audit and collection functions; the enforcement of criminal tax laws through the supervision and authorization of criminal investigations and prosecutions; and the handling of appellate tax cases, both civil and criminal. Other federal departments and agencies (and the IRS) are represented in cases involving the immunity of the federal government from state and local taxation.

Tax Division attorneys are instrumental in forming tax litigation policy on issues important to the development of an equitable and effective tax system. In cooperation with the Treasury Department or the IRS, the Division also participates in the formulation of legislative and administrative policy when the area concerned is, or has been, the subject of litigation.

Attorneys in the Tax Division are stationed in Washington, D.C., except for a small staff located in the Division's Dallas field office. Newly hired attorneys assigned to the Dallas field office are provided a limited period of orientation and training in Washington, D. C. In recruiting experienced attorneys, the Division looks for those applicants who possess excellent academic credentials and experience in the form of litigation, a judicial clerkship, or advanced tax courses.

APPELLATE SECTION

The Appellate Section has the responsibility for handling appeals in civil and criminal tax cases, except those cases in the U.S. Supreme Court. Appellate Section attorneys prepare briefs and present oral arguments in the courts of appeals, various state appellate courts and, on assignment, from the Office of the Solicitor General in the U.S. Supreme Court. Appellate attorneys also review adverse Tax Court, Claims Court and District Court decisions and prepare recommendations as to whether an appeal should be taken. The final decision on appeal is made by the Solicitor General, to whom the Tax Division and the Chief Counsel of the IRS submit recommendations.

In connection with tax litigation in the U.S. Supreme Court, attorneys in the Division's Appellate Section prepare petitions for certiorati and memoranda in opposition to taxpayers' petitions, as well as briefs and memoranda of law on the merits, under the supervision of the Office of the Solicitor General.

CRIMINAL SECTION

The Criminal Section promotes the uniform enforcement of the nation's criminal tax laws. Its attorneys review and analyze the recommendations for prosecution of tax offenses received from both the IRS and U.S. Attorneys to determine whether prosecution should be authorized. The Section's approval is also required to initiate and expand tax grand jury investigations arising under the nation's internal revenue laws. Criminal Section personnel conduct and participate directly in major grand jury investigations. They also handle the trial of these cases and provide assistance to many U.S. Attorneys' Offices in specific criminal tax litigation. The Criminal Section's litigation frequently involves complex and technical cases where additional resources and expertise are required.

CIVIL TRIAL SECTIONS

The Claims Court Section defends all refund suits brought by taxpayers filed with that Court. Four Civil Trial Sections, organized along geographic lines, not only represent the government in tax refund suits in other courts, but also in a wide variety of specialty litigation under the Internal Revenue Code and general commercial litigation. These actions include: suits brought by the United States to collect unpaid assessments, to foreclose federal tax liens or to determine the priority of such liens, to obtain judgments against delinquent taxpayers, to enforce IRS administrative summonses and to establish tax claims in bankruptcy, receivership and probate proceedings; suits against IRS employees for damages claimed because of alleged injuries caused by them in the performance of their official duties; and suits against the Secretary of the Treasury, the Commissioner of Internal Revenue, or other officials to test the validity of federal tax regulations or rulings.

In dealing with this caseload, civil trial attorneys are responsible for every phase of their assigned cases from initial pleadings through discovery and ultimate trial of the issues.

OFFICES

The *Office of Review* appraises settlement offers in light of litigating potential and policy considerations, furnishes advice and assistance to the trial sections on particularly complex cases, takes final action on those settlements within its redelegated authority, and advises the Assistant Attorney General or his delegate on settlements which require final action at a higher level within the Division or Department. It is active in resolving disputes between the litigating sections and the IRS, so that the Division's and the client agency's positions are in conformity.

The *Office of Legislation and Policy* conducts legal research on proposed legislation on which the Division has been asked to comment.

The *Office of Special Litigation* is responsible for litigation resulting from the enactment of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), i.e., injunction actions and penalty cases against abusive tax shelters and their promoters.

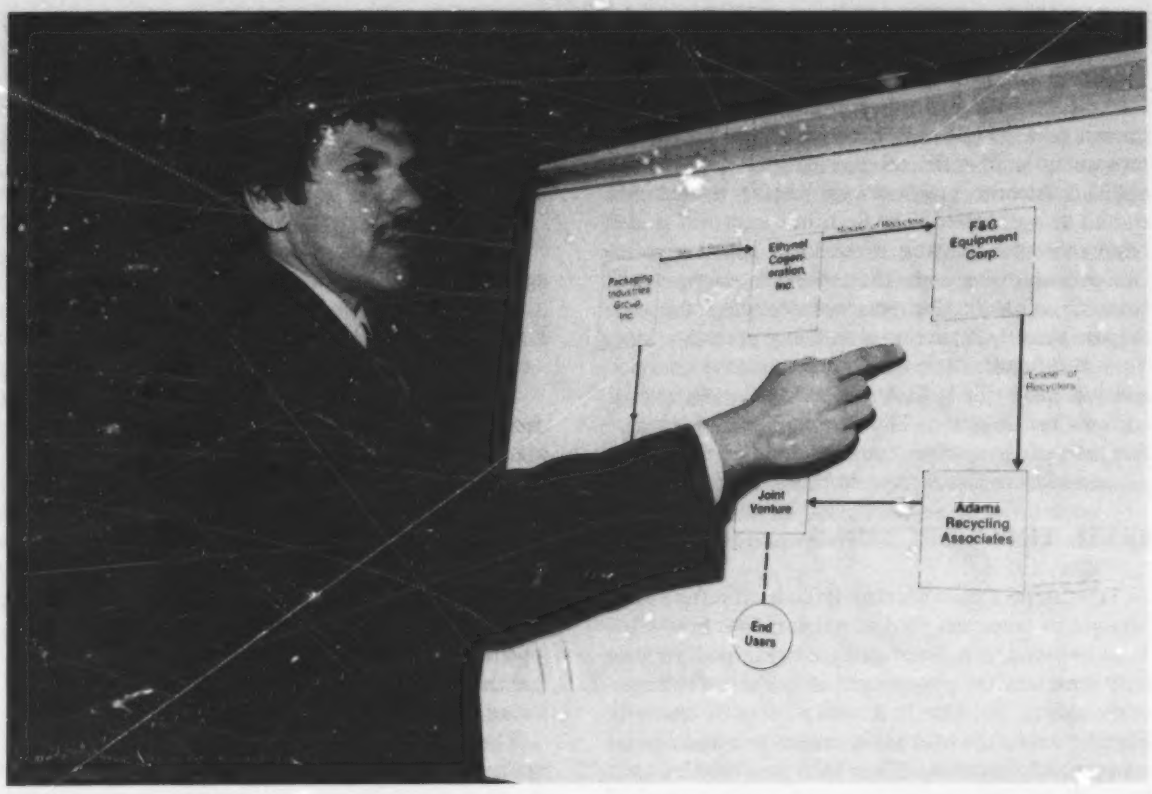
EXAMPLES OF RECENT LITIGATION

There have been a number of significant cases decided by the courts of appeals in the tax area. For example, in *Jones v. Berry*, the Ninth Circuit held that the IRS could retain and use materials gathered in an undercover "sting" operation called the Business Opportunities Project. The Court found that the undercover activities of the agents, who posed as prospective buyers of businesses and attempted to obtain from the agents evidence of skimming, did not constitute a search within the meaning of the Fourth Amendment and that the information could form the basis for the issuance of a search warrant.

The Division also prevailed in a pair of suits brought against Ernst and Whinney, a "Big Eight" accounting firm, which the government alleged was engaged in false, misleading and deceptive conduct in connection with the marketing of an investment tax credit service. In the Atlanta suit, the Eleventh Circuit held that the Internal Revenue Code authorized the government to maintain a suit to enjoin wrongful interference with tax enforcement. In the Ohio suit, the Sixth Circuit agreed that the firm should turn over its list of clients who had subscribed to their investment tax credit service.

At the trial level, the Claims Court recently decided one issue in a refund case involving over 20 issues and $63 million in *Exxon v. United States*. The Claims Court held that a claimed $27 million bad debt deduction was not allowable because of the likelihood of the creditor collecting on a fraudulent conveyance claim. The creditor was one of Exxon's domestic subsidiaries, the debtor was an Exxon foreign subsidiary, and the conveyance giving rise to the creditor's potential claim was the foreign subsidiary's distribution of all its non-Cuban assets to its parent, Exxon, the day before the Castro government's takeover of all the subsidiary's remaining assets.

In another case, *Augusta Towing Co., Inc., and Columbia Marine Service, Inc. v. United States*, the Claims Court dismissed a complaint challenging the constitutionality of the Inland Waterways Revenue Act of 1978, brought by operators of commercial barges,



A Tax Division attorney presents the government's case in the trial of a suit to enjoin the promoters of an abusive tax shelter.

determining that the Act did not violate the equal protection component of the Due Process Clause of the Fifth Amendment, the Uniformity Clause and the Port Preference Clause. The Act imposes a tax on fuel used on 26 designated waterways.

The Division has continued to step up its civil and criminal efforts against abusive tax shelters and their promoters. Pursuant to Section 7408 of the Internal Revenue Code, it has sought civil injunctions against abusive tax shelter promoters. For example, in *United States v. Packaging Industries, Inc.*, a consent judgment entering an injunction was obtained against promoters of a styrofoam shredding equipment leasing tax shelter, together with a penalty of $451,000. In a criminal prosecution against the promoter of a fraudulent coal tax shelter scheme, *United States v. Nardone*, the judge sentenced the promoter to serve 15 years in prison, fined him $60,000, and termed the scheme, "a monstrous fraud perpetrated on the people and Government of the United States."

The Division has also proceeded civilly and criminally against tax protesters, a direct and serious threat to the federal tax system. In *United States v. Your Heritage Protection Association,* the government was granted summary judgment in a Section 7408 injunction case against a tax protest organization which asserts that wages, salaries and other income are exempt from tax because federal reserve notes are not legal tender. In *United States v. Ray, et al, Klein* conspiracy and aiding in the filing of false income tax document convictions were obtained against numerous principals in the Central Savannah River Patriots organization. In addition to advising their tax protest followers not to report their wages as income and to file false exempt Forms W-4 with their employers, the principals in the *Ray* prosecution also advised their followers to harass IRS agents. The two principal architects of this protest scheme were sentenced to serve seven years in prison and were incarcerated immediately because of their threat to the community.

While Criminal Section attorneys provide nationwide review and litigation support in Organized Crime Drug Enforcement Task Force cases, the Civil Trial Sections also have a major role in the assessment and collection of taxes on illicit narcotics income. A district court recently upheld a termination assessment pursuant to Section 7429 of the Code against a taxpayer of almost $1 million after the seizure of almost $2 million

from the taxpayer's residence . The seizure was made pursuant to a search warrant obtained based upon information supplied to the police by a confidential informant, indicating that approximately five kilograms of cocaine had been observed in the residence. A search of the residence revealed no narcotics or narcotics paraphernalia; however, a United States Customs dog "alerted" to the presence of narcotics on the money. The court held that the "alert" and the hearsay testimony by police officers as to statements made by a confidential informant were sufficient to make a finding that the assessment was reasonable.

Finally, in the intergovernmental taxation area, a quartet of cases involving Texas, Kansas, and South Carolina arose as a result of those states' reliance on the Twenty-First Amendment to regulate and tax procurement and resale activities of out-of-state purchases of alcoholic beverages by military commissaries and post exchanges. The Division prevailed in all four cases.

EXECUTIVE OFFICE FOR UNITED STATES ATTORNEYS

While the legal divisions are responsible for the supervision of litigation conducted by U. S. Attorneys, the Executive Office for United States Attorneys has supervisory responsibilities with regard to U.S. Attorneys' non-litigative functions, including operation of the Law Enforcement Coordinating Committees, general executive assistance, certain administrative and legal services, personnel, training, and oversight for the U. S. Attorneys' Offices. These support and oversight functions include preparation and justification of annual budgets for the operation of the 94 U. S. Attorney districts; development of legal and management information systems, provision of space, security, telecommunications, equipment, library; and other services for U. S. Attorneys' Offices. The Executive Office also serves a liaison function for U. S. Attorneys with the legal divisions and other organizations, and assists in resolution of disputes.

While the Executive Office employs attorneys in each of their sections, the majority of the legal work is performed by the attorneys in the Legal Services Section and the Office of Legal Education. The Office of Legal Education is fully explained in a separate section in this brochure. The work of the Legal Services Section is outlined below.

LEGAL SERVICES SECTION

This Section provides legal interpretations, opinions, and advice to U. S. Attorneys on concerns such as legislation, regulations, and Departmental guidelines. It also drafts, reviews, and comments on legislative proposals, proposed changes to the Federal Rules of Procedure and Evidence, and Departmental regulations and is responsible for maintaining effective liaison and guidance in governmental legal affairs. The Section acts as liaison with the General Accounting Office, responds to inquiries from members of the Congress and private citizens relating to the activities of the Executive Office and the U. S. Attorneys' Offices, and reviews requests by U. S. Attorneys for outside activities, for representation, recusals and cross designations. The Legal Services staff further reviews allegations of misconduct against Assistant U. S. Attorneys, and provides U.S. Attorneys with advice on equal employment, ethical and conflict of interest questions. This Section also responds to requests for records pursuant to the Freedom of Information Act and Privacy Act, publishes the biweekly *United States Attorneys Bulletin* and the 11 volume *United States Attorneys Manual.*

UNITED STATES ATTORNEYS' OFFICES

Federal law places upon the Attorney General responsibility for the conduct of all litigation affecting the interests of the United States. This responsibility is discharged by delegating authority to officers throughout the country to handle such litigation and to appear in the various federal courts as the Government's advocates. These field officers are the United States Attorneys. There are 93 U.S.

Attorneys stationed throughout the United States, Puerto Rico, Guam and the Northern Marianas. One U.S. Attorney is assigned to each judicial district with the exception of Guam and the Northern Marianas, where a single U.S. Attorney serves in both districts.

U.S. Attorneys perform their responsibilities with the support of 2,350 Assistant U.S. Attorneys and 2,867 non-attorney personnel. U.S. Attorneys are appointed by the President and confirmed by the Senate for terms of four years, or at the pleasure of the President. They and their Assistant U.S. Attorneys must be residents of the districts to which they are appointed. This requirement does not apply to the District of Columbia or the Southern and Eastern Districts of New York, which require residence within 20 miles of the district.

EMPLOYMENT INFORMATION

General employment information for law student recruitment programs is outlined below. However, for specific information concerning attorney employment opportunities in the U.S. Attorneys' Offices, an applicant should write directly to the U.S. Attorney for the district in which he or she has an interest. All recruitment is handled independently within each office. Addresses for individual U.S. Attorneys' Offices are printed at the end of this brochure.

Summer Law Intern Program

Summer Law Intern positions at the GS-7 level are available in many of the U.S. Attorneys' Offices. To qualify, students must have completed their second year of law school and be eligible for senior standing when they return to school in the fall. The applicant should submit a Standard Form 171 directly to the U.S. Attorney's Office for which he or she wishes to be considered. Please contact individual U.S. Attorneys' Offices for filing deadlines.

Part-Time Program, Work-Study Intern Program and Volunteer Program

These law student employment programs are available in many U.S. Attorneys' Offices. Interested applicants should contact the U.S. Attorney's Office in which they have an interest. The application form, which is Standard Form 171, will be accepted at U.S. Attorneys' Offices throughout the year.

EXAMPLES OF RECENT LITIGATION

A two year multi-agency Drug Task Force investigation initiated by the Drug Enforcement Administration culminated in the convictions of Harold Rosenthal and eight other defendants on racketeering and drug charges following a 2-1/2 month trial in the Northern District of Georgia. Rosenthal and Philip Bonadonna were convicted of operating a continuing criminal enterprise and sentenced to life imprisonment without the possibility of parole. The indictment charged Rosenthal's organization with the importation of approximately five tons of cocaine with a retail or street value of approximately $11 billion. Rosenthal was the principal broker of cocaine shipped out of Colombia, South America, to organized crime elements in Miami and New York. The Rosenthal organization was the largest cocaine ring ever uncovered by federal law enforcement officials.

In the largest criminal tax fraud charged in American history, four employees of two fraudulent tax shelters, Sentinel Government Securities and Sentinel Financial Instrument, were convicted in the Southern District of New York after a six week jury trial of conspiring to defraud the Internal Revenue Service through the creation of bogus government security trading losses totaling more than $130 million. The bogus losses were distributed to investors, including prominent figures in entertainment, law and business to support tax deductions. In addition, Michael Senft, the architect of the fraud, was convicted on one count of evading more than $925,000 in income tax he owed for 1980 and on 12 counts of aiding and assisting the filing of false returns. Senft was sentenced to 15 years imprisonment and the maximum fine of $80,000.

As a result of a lengthy investigation by the U.S. Attorney's Office of the District of Columbia, the Department of Commerce, and the Internal Security Section of the Criminal Division of the Department of Justice, Datasaab, a Swedish firm, was fined

$3,120,000 for violating provisions of the federal Export Administration Act. Datasaab admitted that it supplied/transferred state-of-the-art United States computer equipment and software which enabled the Soviet Union to develop a sophisticated military air traffic control system. This technology transfer directly contravened Datasaab's United States export license.

Under the export license issued by the Department of Commerce, Datasaab was restricted to supplying a "secondary" or strictly civilian air traffic control system. Instead, Datasaab officials secretly hand-carried to the Soviet Union computer equipment and related software, directly applicable to military research and development efforts, which enabled the Soviet Union to establish an advanced air traffic control system with military capability.

Datasaab's violation is one of the most significant breaches of United States national security in the technology transfer area. The presiding judge required Datasaab's parent corporation to enter into a consent decree binding itself to the terms of the plea agreement between the United States and Datasaab.

UNITED STATES MARSHALS SERVICE

United States Marshals as federal law enforcement officers serve as executive officers of the federal courts and agents of the Department of Justice. U.S. Marshals and their staffs are located in each of the 94 federal judicial districts encompassing the 50 states, Guam, Puerto Rico, the Virgin Islands, and the Northern Mariana Islands. The Director of the Service provides overall supervision.

The Office of Legal Counsel for the Marshals Service consists of a staff of six attorneys located in McLean, Virginia. It has the responsibility for providing legal assistance and advice to the Director and U.S. Marshals. This advice covers a variety of areas, including administration of justice, arrest, search and seizure, admiralty, prisoner rights, employee rights, court security, witness security, legislation, forfeiture, procurement and fiscal matters.

The Office of Legal Counsel also represents the Marshals Service in all administrative matters and hearings. It adjudicates all administrative claims filed against the Marshals Service under the Federal Tort Claims Act. It provides advice, legal research and other assistance to the U.S. Attorneys and the several legal divisions of the Department of Justice in federal court actions brought against the Marshals Service.

UNITED STATES TRUSTEES' OFFICES

The United States Trustees, under the supervision of the Attorney General, handle the administration and oversight of cases filed pursuant to Chapters 7, 11 and 13 of Title I of the Bankruptcy Reform Act of 1978. The United States Trustees establish, supervise and maintain panels of private trustees to serve in Chapter 7 liquidation cases, and generally supervise the standing trustees who administer Chapter 13 plans. Under Chapter 11 of the Reform Act, businesses continue to operate while formulating a plan to pay creditors over a period of time. In these cases, the U.S. Trustee appoints creditors' committees and educates them regarding their role and responsibilities, appoints case trustees or examiners, supervises the administration of estates by the debtors in possession and trustees, closely monitors the hiring of professionals, reviews fee awards and may object to the adequacy of required disclosure statements.

In recruiting experienced attorneys, the U.S. Trustees' Offices look for applicants with a general knowledge of bankruptcy principles coupled with a background in economics, accounting, tax, secured transactions, or corporate law.

At present, there are field offices located in Boston, New York, Newark, Alexandria, Birmingham, Dallas, Chicago, Minneapolis, Los Angeles and Denver. In addition, branch offices are located in Worcester, Massachusetts; Portland, Maine; Norfolk, Virginia; Wichita, Kansas; Santa Ana, California; Lubbock, Texas; and Camden, New Jersey. The Executive Office for U.S. Trustees, located in Washington, D.C., administers the program for the Department of Justice.

EXAMPLES OF RECENT LITIGATION

Johns-Manville Corporation—The Johns-Manville case, filed in the Southern District of New York, is unprecedented in that the company purports to be financially healthy, but filed for bankruptcy under Chapter 11 to stay its potential liability in asbestos litigation until a plan can be negotiated that will provide for the estimated $2 billion worth of claims over the next 20 years. One of the issues in the case involved whether a legal representative should be appointed to represent potential future asbestos claimants. The U.S. Trustee's active involvement in overseeing the administration of this case has been instrumental in encouraging the parties to resolve differences at various points in the proceedings.

Storage Technology Corporation—Colorado's fourth largest employer filed for reorganization last fall after having laid off 5,000 employees in the Denver Metropolitan Area and having suffered a reported $86.3 million in losses during the first nine months of 1984. The U.S. Trustee quickly appointed a committee of creditors from across the country and assembled them for a meeting within one week of the petition having been filed. With 10,000 remaining employees, $1 billion in assets and a worldwide network of 48 subsidiaries, the U.S. Trustee is closely monitoring the activities of this publicly held parent corporation to ensure that a successful plan of reorganization is developed. One potential issue the U.S. Trustee may face is the extent to which any proposed plan may conflict with the insolvency laws of foreign nations.

Edwin P. Wilson—The former CIA agent, now serving a 52 year federal prison sentence for attempted murder and gunrunning, filed for bankruptcy in the Eastern District of Virginia in an effort to prevent the forced liquidation of his assets which are valued at more than $13 million. To circumvent legitimate concerns of an attempted escape, the U.S. Trustee arranged for Wilson to appear before his creditors via satellite from his maximum security prison cell in Marion, Illinois. Immediate action by the U.S. Trustee resulted in the bankruptcy court allowing the appointment of a Chapter 11 trustee to provide for an orderly liquidation of the estate under a plan to be confirmed by the bankruptcy court.

Clinton W. Murchison, Jr.—Billionaire businessman Clinton W. Murchison, Jr., former owner of the Dallas Cowboys, consented to an order for relief under a Chapter 11 bankruptcy proceeding to seek protection from creditors who had filed an involuntary Chapter 7 in an effort to force liquidation of his assets. Murchison is elderly and ill with a degenerative disease which has interfered with his ability to file the required schedule of creditors. As a result, the U.S. Trustee has become pivotal in dealing with both the press and creditors in an effort to determine the parties affected by the case. The U.S. Trustee has met with creditors and a committee has been formed to work with Murchison in drawing up a plan to retire his debt.

IMMIGRATION AND NATURALIZATION SERVICE

The Immigration and Naturalization Service (INS) enforces the immigration laws of the United States, and adjudicates applications for naturalization and other types of benefits available to individuals under the immigration and nationality laws. The work of Service attorneys supports these activities. Many of the cases upon which attorneys work, such as asylum, have a high visibility and involve constitutional and international issues.

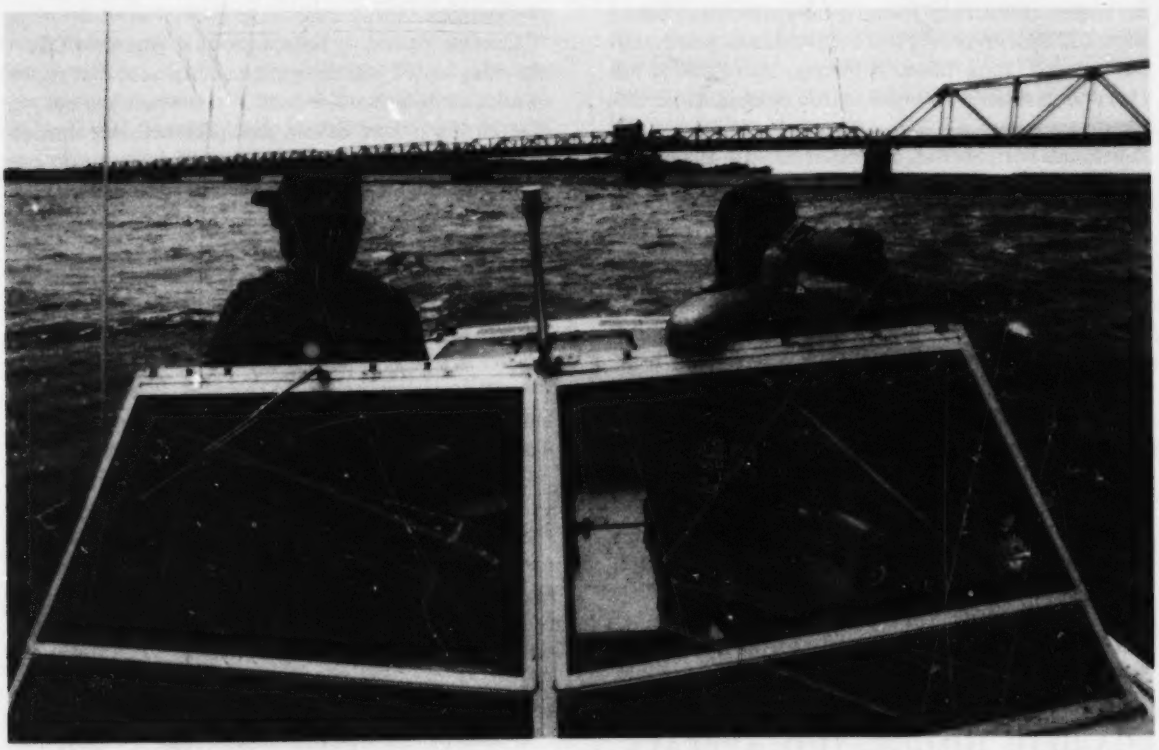
Attorneys are assigned to district offices located throughout the United States. There is a city and state listing of these offices in a separate section of the brochure. Two special programs offer attorneys intensive federal court litigation experience. The Special Assistant U.S. Attorney program selects Service attorneys to serve on the staff of a U.S. Attorney's Office and to specialize in civil or criminal immigration litigation arising in federal, district, and circuit courts. Another program places Service attorneys on one-year details with the Office of Immigration Litigation, Civil Division, working on complex immigration litigation arising in federal courts. There are career opportunities for experienced attorneys as attorney managers on the district, regional, and central office levels. Experienced attorneys may also apply for careers in the Office of General Counsel providing legal advice to the top policy officials of the Service by working on legislative and regulatory changes in the immigration laws.

The nationwide organization of INS gives attorneys unusual opportunities for travel and relocation. Therefore, hiring preference will be given to attorneys who enjoy frequent travel, and will actively seek relocation opportunities. Many promotion opportunities require relocation.

Attorneys hired under the Honor Program are assigned to a district office under the supervision of a chief legal officer. They gain experience in the three areas discussed below.

TRIAL LITIGATION

After a short initial training period, attorneys are given full responsibility for the preparation and presentation of deportation and exclusion cases in administrative hearings before immigration judges. At issue in these cases is an alien's ability to enter or continue to reside in the United States. Applications for relief from deportation or exclusion, including applications for asylum, are often presented during such hearings. INS attorneys gain exceptional litigation experience; most making daily court appearances. Attorneys brief all appeals of their cases, and are detailed to the Board of Immigration Appeals in Falls Church, Virginia to argue appeals.



Immigration and Naturalization Service (INS) attorneys provide legal assistance to enforcement officers. Pictured are INS Border Patrol Agents patrolling the waters off the coast of Miami.

OPERATIONAL LEGAL ADVICE

Service attorneys provide on-the-spot legal assistance to line law enforcement officers such as investigators, adjudicators, border patrol agents, immigration inspectors, and detention and deportation officers. They also provide direct legal advice to District Directors who have been delegated much of the Attorney General's decision making authority under the immigration and nationality laws. These operating officials depend on advice from Service attorneys to avoid adverse court decisions and possible personal liability. Service attorneys are also called upon to provide expertise and litigation assistance to

U.S. Attorneys and attorneys from the Office of Immigration Litigation who are litigating INS cases in federal court. Such assistance may include preparing pleadings, briefs, and acting as co-counsel for the government in federal court cases. Attorneys also advise agency managers on diverse questions such as tort claims, contracts, Freedom of Information and Privacy Act requests. They represent the agency in administrative hearings before the Equal Employment Opportunity Commission and the Merit Systems Protection Board.

CITIZENSHIP

Since naturalization is a judicial act, INS attorneys are responsible for representing the government before state and federal courts in all contested or controversial naturalization cases. Attorneys also provide advice and assistance to immigration examiners on difficult questions of derivation of citizenship by individuals born abroad, and other difficult legal issues involved in citizenship.

EXAMPLES OF RECENT LITIGATION

The Service has continued to be involved in an unprecedented number of U.S. Supreme Court cases. In an extremely significant case for INS interior enforcement, *INS v. Delgado,* the U.S. Supreme Court held that normal factory search activities had not improperly "seized" the entire workforce in violation of the Fourth Amendment. In the case of *INS v. Stevic,* the Court enunciated that the Refugee Act of 1980 effected no change in the standard of proof relating to persecution in the test for withholding of deportation. The case of *INS v. Lopez-Mendoza,* held that the exclusionary rule does not apply to civil deportation proceedings.

Currently pending before the U.S. Supreme Court are cases which will determine (1) the scope of rights of aliens who are at the border and who have not yet entered the United States, and (2) whether a motion to reopen to apply for suspension of deportation can be denied for certain discretionary reasons.

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

The Attorney General is charged with the administration and enforcement of the Immigration and Nationality Act of 1952, and all other laws relating to the immigration and naturalization of aliens. The Attorney General has delegated certain aspects of his authority to administer and interpret the immigration laws to the Executive Office for Immigration Review. The Executive Office for Immigration Review is completely independent of the Immigration and Naturalization Service, the organization charged with the enforcement of the immigration laws.

BOARD OF IMMIGRATION APPEALS

The Board of Immigration Appeals is a quasi-judicial organization composed of a Chairman, four members and a Chief Attorney Examiner who is also an alternate Board Member. It sits in Falls Church, Virginia, and hears oral argument only in that location. A staff of attorney-advisors assists the Board in the preparation of decisions.

The Board has been given nationwide jurisdiction to hear appeals from decisions entered by District Directors of the Immigration and Naturalization Service, and by immigration judges. Offices of the immigration judges are located throughout the country. There is a separate city and state listing of these offices in a separate section of the brochure. In addition, the Board, with approval of the Attorney General, is responsible for suspension or barring from practice before the Service and the Board any representative or attorney.

Decisions of the Board are binding on all Service officers and immigration judges unless modified or overruled by the Attorney General, and are subject to judicial review in the federal courts. The majority of appeals reaching the Board involves orders of deportation and applications for relief from deportation. Other cases before the Board include exclusion proceedings involving aliens seeking admission to the United States, petitions to classify the status of alien relatives for the issuance of preference immigrant visas, fines imposed upon carriers for the violation of the immigration laws, and motions for reopening and reconsideration of decisions previously rendered.

OFFICE OF THE CHIEF IMMIGRATION JUDGE

The Office of the Chief Immigration Judge is responsible for the general supervision and direction of the immigration judges in the performance of their duties. It establishes operational policies for the offices of the immigration judges and evaluates the performance of those offices. The Office includes a headquarters staff of management and legal personnel structured as Counsel to the Chief Immigration Judge, a Planning and Analysis Unit and a Central Docketing Unit.

The immigration judges preside at formal, quasi-judicial deportation and exclusion proceedings. In addition to determining whether individuals are excludable or deportable from the United States, the immigration judges have jurisdiction to consider applications for various forms of discretionary or mandatory relief. These include applications for such relief as asylum, adjustment of status, suspension of deportation, and waivers of excludability. Their decisions are administratively final unless appealed or certified to the Board of Immigration Appeals.

EXAMPLES OF RECENT LITIGATION

A decision representative of the thousands of appeals adjudicated by the Board of Immigration Appeals each year is *Matter of McMullen,* a case which involved a deportable individual whose applications for asylum and withholding of deportation were denied as a result of his terrorist activities while a member of the Provisional Irish Republican Army.

The cases adjudicated by the immigration judges ranged from determinations whether aliens seeking to enter the United States as nonimmigrants were in fact bona fide visitors, to consideration of an individual's deportability based on his activities during World War II as a member of the S/S operating at a German concentration camp.

FEDERAL BUREAU OF INVESTIGATION

The Federal Bureau of Investigation (FBI) investigates violations of certain federal statutes, collects evidence in cases in which the United States is or may be an interested party, and performs other duties imposed by law or Presidential directive. If a possible violation of federal law under the jurisdiction of the FBI has occurred, it will be investigated and the facts presented to the appropriate U.S. Attorney or Department of Justice official who will determine whether prosecution or further action is warranted.

The overall objectives of the FBI are to have a significant impact on criminal activity, to investigate civil matters in which the federal government has an interest, and to provide information to the Executive branch relating to national security. Top priority investigative emphasis has been assigned to those areas that affect society the most: organized crime, foreign counterintelligence, white-collar crime and terrorism. A high percentage of those and other investigations are conducted by legally trained special agents.

The Legal Counsel, and staff, furnish legal advice to the Director and other FBI officials, research legal questions concerning law enforcement matters, and supervise civil litigation and administrative claims involving the FBI, its personnel, and records. The Legal Counsel's staff also represents the FBI at administrative proceedings before the Merit Systems Protection Board and the Equal Employment Opportunity Commission, and administers a legal training program for FBI personnel and other law enforcement officers.

To ensure constancy in legal training, legal advisors are appointed to assist all assigned investigative personnel in each of the 59 field offices. These legal advisors are experienced special agents who hold law degrees. Their role is to offer advice to fellow special agents regarding arrest problems, search and seizure, and the preparation of affidavits and other similar documents. In-service refresher courses are conducted by the FBI to ensure that investigations conform to the letter and spirit of the law. All attorneys in the Legal Counsel Division are special agents of the FBI.

The FBI handles its recruitment independently. Inquiries should be directed to Personnel Officer, Federal Bureau of Investigation, Room 6050, J. Edgar Hoover Building, Ninth Street and Pennsylvania Avenue, N.W., Washington, D.C. 20535.

BUREAU OF PRISONS - FEDERAL PRISON INDUSTRIES

The Bureau of Prisons oversees the operation of the Federal Prison System, consisting of 45 correctional institutions, as well as Federal Prison Industries, a self-sustaining government corporation which provides work experience and industrial learning opportunities for the federal inmate population. The National Institute of Corrections, which is authorized to carry out a program of technical assistance and training for state and local correctional personnel and others who work with offenders, also operates under the auspices of the Bureau of Prisons. There are a total of 20 attorneys in the Bureau of Prisons, six of whom are located in the Office of General Counsel, in Washington, D.C. The remaining attorneys are employed in the Bureau's regional field offices at the following locations: Dallas, Texas; Atlanta, Georgia; Kansas City, Missouri; Philadelphia, Pennsylvania; and Burlingame, California.

The Office of General Counsel provides legal assistance and advice to the Director and to other management staff, including wardens. One of the chief functions of the Office is to provide in-house appellate review for inmate complaints filed under the Bureau's administrative remedy procedures. This procedure has led to a reduction in the number of law suits filed in federal courts by federal inmates.

The Office of General Counsel also handles requests for prisoners' records under the Freedom of Information and Privacy Acts, processes tort and other administrative claims, provides litigation assistance to U.S. Attorneys, supervises the publication of rules, advises on federal sentence computation and interpretation, supervises the processing of the Bureau's discrimination complaints, and provides legislative assistance on federal prison matters.

DRUG ENFORCEMENT ADMINISTRATION

The Drug Enforcement Administration (DEA) is the primary narcotics enforcement agency for the United States, as well as one of the largest regulatory bodies in the federal government, regulating the entire controlled substances industry. The DEA Office of Chief Counsel, located in Washington, D.C., employs 19 attorneys. Three of these attorneys are assigned to training responsibilities at the Federal Law Enforcement Training Center in Glynco, Georgia. Its primary responsibility is to give the agency in-house capability for handling matters in the areas outlined below.

GENERAL LEGAL COUNSEL

The Office processes all tort claims up to $2,500 against DEA; assists in defense of civil actions against the agency and/or its employees; reviews all property seizures for probable cause and rules on petitions for remission or mitigation of forfeiture under $100,000; represents management in formal and informal Merit Systems Protection Board proceedings involving DEA employees; reviews all contracts; handles legislative matters; and provides other legal counsel on administrative and management matters.

REGULATORY AND COMPLIANCE OPERATIONS

The Office of Chief Counsel represents DEA in all administrative hearings relating to drug control, quotas, and the denial or revocation of registrations. This Office is responsible for legal training of state and federal personnel with respect to the investigation of drug diversion cases, drafts amendments to the Code of Federal Regulations and furnishes legal counsel necessary for the effective administration and enforcement of the regulatory features of the Controlled Substances Act.

TRAINING UNIT

The Office of Chief Counsel is responsible for legal instruction to DEA new agent, in-service and police training schools. Such topics would include search and seizure law, arrest, court procedure and testimony, conspiracy law, rules of evidence and the Controlled Substances Act.

CRIMINAL MATTERS

The Office advises on case decisions and statutes, assists U.S. Attorneys in the interpretation of drug control laws and regulations, assists foreign prosecutors in securing evidence and documentation in the United States for prosecution of offenders in foreign countries; and provides legal review of operations required by Departmental and internal DEA procedures.

STATE ASSISTANCE

The Office of Chief Counsel provides legal assistance to DEA task forces in such areas as preparation of agreements, advising on tort liability, and assisting state legislative committees in the preparation of more effective drug control laws and regulations.

INTERNATIONAL AFFAIRS

The Office of Chief Counsel prepares proposed bilateral and multilateral agreements; maintains liaison with the State Department and the Criminal Division regarding extradition treaties and letters rogatory; and drafts laws, regulations and guidelines necessary to implement United States obligations.

OFFICE OF JUSTICE PROGRAMS

The Office of Justice Programs (OJP), headed by an Assistant Attorney General, with a staff of seven attorneys, provides direct staff support to and coordinates the activities of the Justice Assistance Act agencies program units. These program units include the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice and the Office of Juvenile Justice and Delinquency Prevention. The Office also has taken a strong leadership role in implementing the recommendations of the President's Task Force on Victims of Crime and the Attorney General's Task Force on Family Violence.

The OJP Office of General Counsel has the responsibility of meeting the legal needs of the four program units, as well as OJP. The Office provides opinions and advice on issues arising under the OJP agencies' legislation, regulations and guidelines. It also has primary responsibility for drafting agency regulations.

The Office of General Counsel is responsible for conducting administrative investigations, and for representing the agencies in adjudicative, compliance and civil rights hearings, as well as in litigation affecting their interests. The Office also reviews any protest or appeal involving OJP agencies' grants and contracts.

BUREAU OF JUSTICE ASSISTANCE

The Bureau of Justice Assistance (BJA), established by the Justice Assistance Act of 1984, administers block grant and discretionary grant programs to assist state and local criminal justice agencies. Regulations governing the BJA financial assistance programs are published annually in the *Federal Register*. BJA also administers the Public Safety Officers' Benefit Program, the Emergency Federal Law Enforcement Assistance Program, and the Department's program to expedite the donation of surplus federal property to state and local governments for corrections purposes.

BUREAU OF JUSTICE STATISTICS

The Bureau of Justice Statistics (BJS) is authorized to perform the following functions:

- Compile, collate, analyze, publish, and disseminate national statistics about all aspects of crime, civil and criminal justice, civil disputes and criminal offenders.
- Assure the quality of the statistical components of all federal justice information systems, and through the state statistical bureaus, of all state information systems.
- Establish national definitions and standards for justice statistics.
- Support state and local governments in the development of justice statistical information systems.
- Develop and maintain compatible components in state and federal offender-based transaction systems in order that useful national data may be produced.

NATIONAL INSTITUTE OF JUSTICE

The National Institute of Justice (NIJ) is the principal federal agency for research, development, evaluation and dissemination of new knowledge to improve and strengthen the criminal justice system, and related civil justice aspects. Priority is given to policy-relevant research that can yield approaches and information state and local agencies can use to prevent and reduce crime and improve the administration of justice.

Institute research has helped to guide policymaking by police, prosecutors, judges and corrections officials in such areas as criminal arrest and evidence, pretrial release, sentencing, probation, and incarceration and public safety.

A study of the exclusionary rule documented the impact of the rule on criminal cases, showing that some 4,000 cases in California, most of them drug cases, were not prosecuted because of search and seizure issues. Nearly half the defendants released in these cases were rearrested.

Research on dangerousness is also underway, assessing the experience of jurisdictions where dangerousness is a criteria in pretrial decision-making. An ongoing experiment in the courts of two major cities is testing arrestees for drug use and this information is being made available to judges to guide bail and sentencing decisions.

Selective incapacitation—ensuring that the most serious offenders are incarcerated—is a concept developed through NIJ research. Work is continuing on improving the ability to classify offenders according to the risk they pose to public safety.

The results of these and other important studies are made available to criminal justice practitioners and policymakers in a variety of forms—succinct *Research in Briefs,* manuals, training, fellowships and special seminars. The National Institute of Justice also maintains an international clearinghouse for justice-related research and information—the National Criminal Justice Reference Service. Using its database of 75,000 books, reports, articles, and audio visuals, the Institute's Reference Service is ready to answer questions from federal, state and local justice professionals and policymakers.

OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION

The Justice Assistance Act of 1984 reauthorizes through fiscal year 1988 the Office of Juvenile Justice and Delinquency Prevention (OJJDP), which was established by the Juvenile Justice and Delinquency Prevention Act of 1974. The fundamental structure of this program is:

- Coordination of federal efforts relating to juvenile justice and delinquency prevention.

- Administering a state formula grant program and a special emphasis discretionary grant program.
- Providing information, research, demonstration, evaluation, and training programs and services through the National Institute for Juvenile Justice and Delinquency Prevention.

The Act also creates a new Missing Children's Assistance Program to coordinate and assist in the federal response to the interstate problem of missing children.

The Federal Coordinating Council, chaired by the Attorney General, is responsible for coordinating and providing policy direction for all federal juvenile delinquency-related programs.

COMMUNITY RELATIONS SERVICE

The Community Relations Service (CRS) has the responsibility for assisting communities in resolving disputes relating to allegations of race, color, or national origin discrimination, and for resettling Cuban and Haitian entrants. Mediation and conciliation services are provided to assist communications in resolving disputes, and grants are provided to agencies and organizations for resettling Cuban and Haitian entrants.

Disputes handled fall into three categories:

- *Administration of Justice,* which includes disputes involving police departments, correction facilities, and pretrial and sentencing mechanisms.
- *Education,* which includes disputes involving school security, school discipline, curriculum offerings, and resource allocations.
- *General community relations,* which includes disputes involving housing, Ku Klux Klan and other hate group activity, Indian treaty rights, and refugee resettlement.

The conciliation and mediation services provided by CRS serve as an alternative to litigation, and as a means of resolving racial conflicts without violence and economic loss. Conciliation is the act of alleviating tension by opening up communications among disputing groups or taking other steps informally to help work out an agreement. Mediation is a more formal process, similar to that used in labor disputes. Here, a CRS mediator brings the disputants face-to-face to consider grievances raised and to reach written agreements.

CRS also makes its services available to the judiciary. Federal district courts refer cases to CRS dealing with housing, allegations of excessive use of force by police, multi-district school desegregation, and bilingual education programs.

CRS operates out of ten regional offices in the cities of Boston, New York, Philadelphia, Atlanta, Chicago, Dallas, Kansas City, Denver, San Francisco, and Seattle, with headquarters in Chevy Chase, Maryland.

There are no attorney positions in CRS.

INTERNATIONAL CRIMINAL POLICE ORGANIZATION—UNITED STATES NATIONAL CENTRAL BUREAU

The INTERPOL-United States National Central Bureau (INTERPOL-USNCB) facilitates international law enforcement cooperation as the United States' representative with the International Criminal Police Organization. INTERPOL is an intergovernmental organization of 136 member countries. The INTERPOL-USNCB addresses the problem of international criminal activity and the movement of international criminals and individuals who are members of organized groups, such as terrorists, who have committed

criminal acts across international borders affecting law enforcement capabilities within the United States, and in the 135 other member countries. The functions of the INTERPOL-USNCB include coordinating information for investigations of an international nature, and providing efficient communications and telecommunications between United States domestic law enforcement agencies at the federal, state and local level, and the National Central Bureaus of other member countries. Use of the facilities of the INTERPOL-USNCB by the approximately 20,000 eligible state and local law enforcement agencies is essentially the only medium, in the absence of federal jurisdiction over the case, that state and local police have for securing the assistance of a foreign police force.

The INTERPOL-USNCB has a General Counsel, however, there are no staff attorney positions.

UNITED STATES PAROLE COMMISSION

The United States Parole Commission, established by the Parole Commission and Reorganization Act of 1976, is an independent agency in the Department of Justice created to carry out a national parole policy.

The Commission is authorized to:

- Grant or deny an application or recommendation to parole any eligible prisoner.
- Impose reasonable conditions on an order granting parole.
- Modify or revoke an order paroling any eligible prisoner.
- Request probation officers and other individuals, organizations, and public or private agencies to perform such duties with respect to any parolee as the Commission deems necessary for maintaining proper supervision of and assistance to such parolees, to assure that no probation officers, individuals, organizations, or agencies have excessive caseloads.

Under the Landrum-Griffin Labor Act and the Employees Retirement Income Security Act of 1974, the Commission is responsible for special hearings and decisions about employment restrictions applicable to individual ex-offenders.

The Commission is directed by nine commissioners appointed by the President with the advice and consent of the Senate. Terms are for six years. The Commissioners form a policy and rule-making body that holds formal meetings at least quarterly. The Chairman of the Commission is designated by the President from among the Commissioners. The Chairman designates three Commissioners to serve on the National Appeals Board in Washington, D.C., and designates five Commissioners to serve as the Regional Commissioners in the regional offices located in Philadelphia, Atlanta, Dallas, San Francisco, and Kansas City.

The Commission maintains an Office of General Counsel in Washington, D.C., with a staff of seven attorneys, to give legal assistance and advice to the Commission.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The Foreign Claims Settlement Commission, employing a staff of four attorneys, is a quasi-judicial agency which determines claims of United States nationals for loss of property in specific foreign countries.

These losses occurred either as a result of nationalization of property by foreign governments or from damage and loss of property as a result of military operations during World War II. In addition, the Commission determines claims of United States military and civilian personnel who have been held in a captured status during World War II, and the Korean and Vietnam conflicts.

DIRECTORY OF FIELD OFFICE LOCATIONS EMPLOYING ATTORNEYS*

ALABAMA	
Birmingham:	U.S. Trustee Field Office
ARIZONA	
Phoenix:	Immigration and Naturalization Service, Western District Office
	Office of the Immigration Judge
CALIFORNIA	
Burlingame:	Bureau of Prisons Field Office
El Centro:	Office of the Immigration Judge
Los Angeles:	Criminal Division Strike Force
	Immigration and Naturalization Service, Western District Office
	Office of the Immigration Judge
	U.S. Trustee Field Office
Sacramento:	Immigration and Naturalization Service, Western District Office
San Diego:	Immigration and Naturalization Service, Western District Office
	Office of the Immigration Judge
San Francisco:	Antitrust Division Field Office
	Civil Division Field Office
	Criminal Division Strike Force
	Immigration and Naturalization Service, Western District Office
	Office of the Immigration Judge
Santa Ana:	U.S. Trustee Branch Office
San Pedro:	Immigration and Naturalization Service, Regional Counsel Office - Western Region

*This directory excludes U.S. Attorneys' Offices which are listed separately.

COLORADO	
Denver:	Immigration and Naturalization Service, Northern District Office
	Office of the Immigration Judge
	U.S. Trustee Field Office
CONNECTICUT	
Hartford:	Immigration and Naturalization Service, Eastern District Office
New Haven:	Criminal Division Field Office
FLORIDA	
Ft. Lauderdale:	Criminal Division Field Office
Miami:	Criminal Division Field Office
	Criminal Division Strike Force
	Immigration and Naturalization Service, Southern District Office
	Office of the Immigration Judge
Tampa:	Criminal Division Field Office
GEORGIA	
Atlanta:	Antitrust Division Field Office
	Bureau of Prisons Field Office
	Criminal Division Field Office
	Immigration and Naturalization Service, Southern District Office
	Office of the Immigration Judge
Glynco:	Drug Enforcement Administration, Federal Law Enforcement Training Center
HAWAII	
Honolulu:	Criminal Division Field Office
	Immigration and Naturalization Service, Western District Office
ILLINOIS	
Chicago:	Antitrust Division Field Office
	Criminal Division Field Office
	Criminal Division Strike Force
	Immigration and Naturalization Service, Northern District Office
	Office of the Immigration Judge
	U.S. Trustee Field Office

KANSAS	
Wichita:	U.S. Trustee Branch Office
LOUISIANA	
New Orleans:	Criminal Division Strike Force
	Immigration and Naturalization Service, Southern District Office
MAINE	
Portland:	U.S. Trustee Branch Office
MARYLAND	
Baltimore:	Immigration and Naturalization Service, Eastern District Office
	Office of the Immigration Judge
MASSACHUSETTS	
Boston:	Criminal Division Strike Force
	Immigration and Naturalization Service, Eastern District Office
	Office of the Immigration Judge
	U.S. Trustee Field Office
Worcester:	U.S. Trustee Branch Office
MICHIGAN	
Detroit:	Criminal Division Strike Force
	Immigration and Naturalization Service, Northern District Office
MINNESOTA	
Minneapolis:	U.S. Trustee Field Office
St. Paul:	Immigration and Naturalization Service, Northern District Office
Twin Cities:	Immigration and Naturalization Service, Regional Counsel Office-Northern Region
MISSOURI	
Kansas City:	Bureau of Prisons Field Office
	Criminal Division Strike Force
	Immigration and Naturalization Service, Northern District Office

NEVADA	
Las Vegas:	Criminal Division Strike Force
NEW JERSEY	
Camden:	Criminal Division Field Office
	U.S. Trustee Branch Office
Newark:	Criminal Division Strike Force
	Immigration and Naturalization Service, Eastern District Office
	Office of the Immigration Judge
	U.S. Trustee Field Office
NEW YORK	
Brooklyn:	Criminal Division Strike Force
Buffalo:	Criminal Division Strike Force
	Immigration and Naturalization Service, Eastern District Office
	Office of the Immigration Judge
Rochester:	Criminal Division Field Office
Syracuse:	Criminal Division Field Office
New York:	Antitrust Division Field Office
	Civil Division Field Office
	Immigration and Naturalization Service, Eastern District Office
	Office of the Immigration Judge
	U.S. Trustee Field Office
OHIO	
Cleveland:	Antitrust Division Field Office
	Criminal Division Strike Force
	Immigration and Naturalization Service, Northern District Office
OREGON	
Portland:	Civil Division Field Office
	Immigration and Naturalization Service, Northern District Office

PENNSYLVANIA	
Philadelphia:	Antitrust Division Field Office
	Bureau of Prisons Field Office
	Criminal Division Strike Force
	Immigration and Naturalization Service, Eastern District Office
Scranton:	Criminal Division Field Office
PUERTO RICO	
Hato Rey:	Criminal Division Field Office
San Juan:	Immigration and Naturalization Service, Eastern District Office
RHODE ISLAND	
Providence:	Criminal Division Field Office
TEXAS	
Dallas:	Antitrust Division Field Office
	Bureau of Prisons Field Office
	Immigration and Naturalization Service, Regional Counsel Office - Southern Region
	Office of the Immigration Judge
	U.S. Trustee Field Office
	Tax Division Field Office
El Paso:	Immigration and Naturalization Service, Southern District Office
	Office of the Immigration Judge
Harlingen:	Immigration and Naturalization Service, Southern District Office
Houston:	Immigration and Naturalization Service, Southern District Office
	Office of the Immigration Judge
Los Fresnos:	Office of the Immigration Judge
Lubbock:	U.S. Trustee Branch Office
San Antonio:	Immigration and Naturalization Service, Southern District Office
	Office of the Immigration Judge

VERMONT

Burlington:	Immigration and Naturalization Office, Regional Counsel Office - Eastern Region

VIRGINIA

Alexandria:	U.S. Trustee Field Office
Falls Church:	Executive Office for Immigration Review
McLean:	U.S. Marshals Service
Norfolk:	U.S. Trustee Branch Office

WASHINGTON

Seattle:	Immigration and Naturalization Service, Northern District Office
	Office of the Immigration Judge

WISCONSIN

Milwaukee:	Criminal Division Field Office

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